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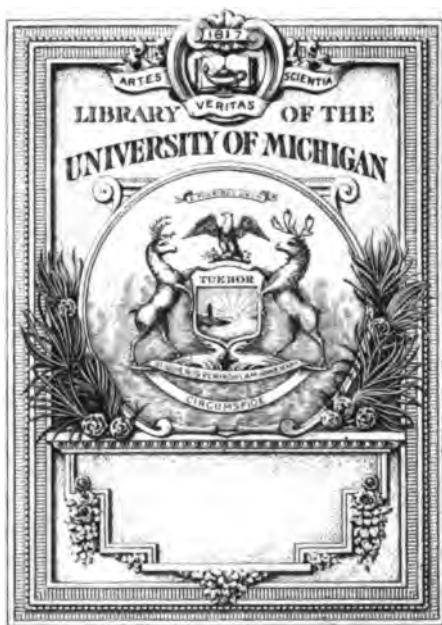
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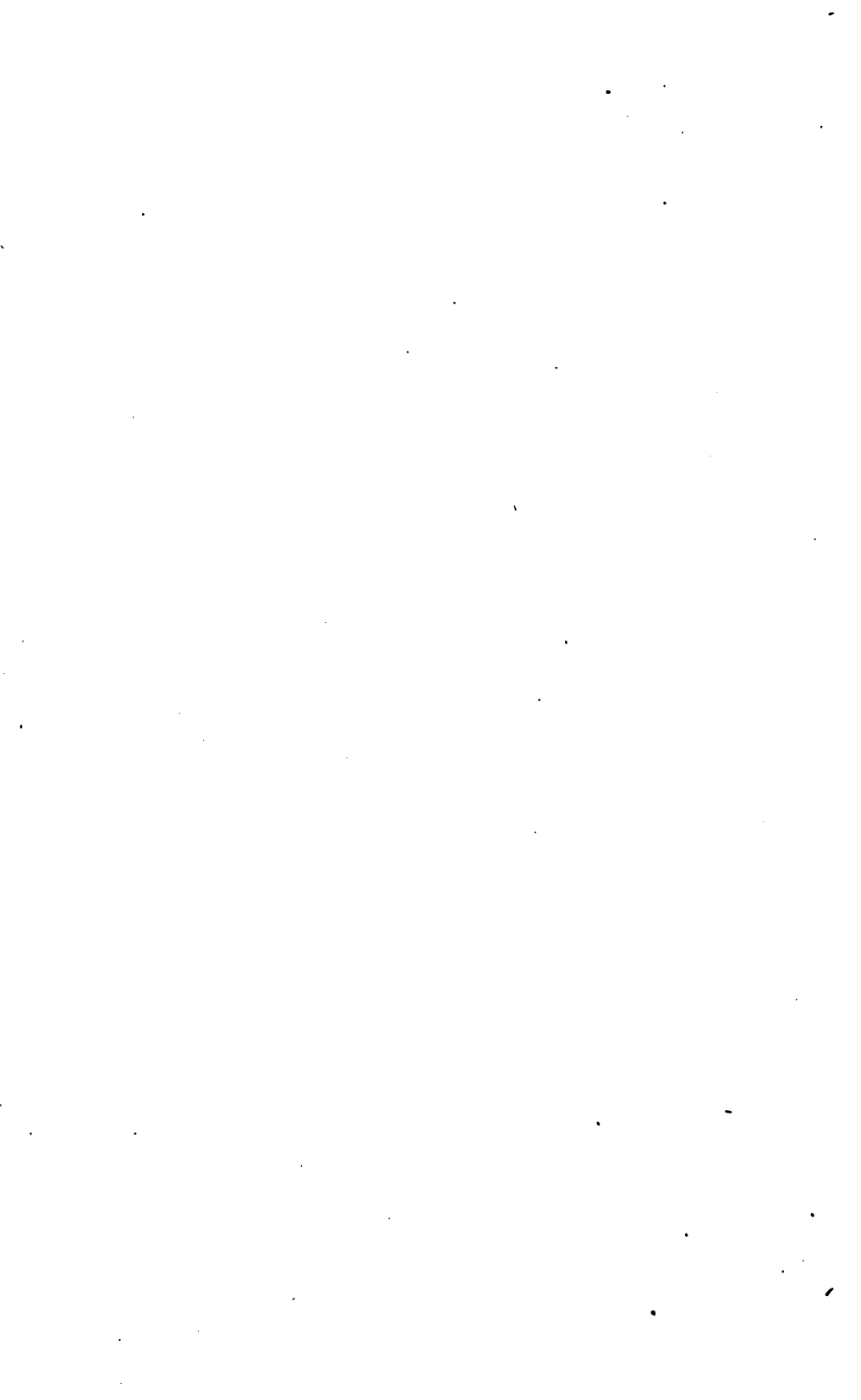
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JOURNAL

OF THE

S E N A T E

OF THE

STATE OF NEW YORK:

AT THEIR

NINETY-EIGHTH SESSION.

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE FIFTH
DAY OF JANUARY, 1875.

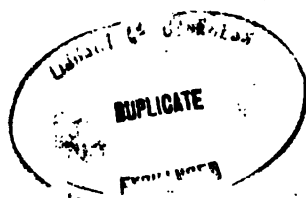


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1875.

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JOURNAL OF THE SENATE.

STATE OF NEW YORK:

SENATE CHAMBER, IN THE CITY OF ALBANY,
TUESDAY, JANUARY 5, 1875.

Pursuant to the sixth section of the tenth article of the Constitution of the State of New York, designating the first Tuesday in January, in each year, for the time of the meeting of the Legislature, the Hon. William Dorsheimer, Lieutenant-Governor, and the following Senators from the several districts of the State, appeared in the Senate, to wit:

District Number One.....	John A. King.
District Number Two	John W. Coe.
District Number Three	John C. Jacobs.
District Number Four	John Fox.
District Number Five	James W. Booth.
District Number Six	Jacob A. Gross.
District Number Seven	Thomas A. Ledwith.
District Number Eight	Hugh H. Moore.
District Number Nine	William H. Robertson.
District Number Ten	Edward M. Madden.
District Number Eleven	Benjamin Ray.
District Number Twelve	Roswell A. Parmenter.
District Number Thirteen.....	Jesse C. Dayton.
District Number Fourteen	Henry C. Connolly.
District Number Fifteen	Webster Wagner.
District Number Sixteen.....	Franklin W. Tobey.
District Number Seventeen	Wells S. Dickinson.
District Number Eighteen.....	Andrew C. Middleton.
District Number Nineteen	Samuel S. Lowery.
District Number Twenty	Archibald C. McGowan.
District Number Twenty-one	Charles Kellogg.
District Number Twenty-two	Daniel P. Wood.
District Number Twenty-three	James G. Thompson.
District Number Twenty-four	John H. Seikreg.
District Number Twenty-five	William B. Woodin.
District Number Twenty-six.....	William Johnson.
District Number Twenty-seven	George B. Bradley.
District Number Twenty-eight.....	Jarvis Lord.
District Number Twenty-nine	Dan H. Cole.
District Number Thirty	Abijah J. Wellman.
District Number Thirty-one	Albert P. Laning.
District Number Thirty-two	Albert G. Dow.

Prayer by Rev. Mr. Mellen.

Hon. Albert P. Laning, Senator from the Thirty-first Senatorial district, elected to fill the vacancy caused by the death of Hon. John Ganson, appeared in the Senate, and took and subscribed the constitutional oath of office.

The President then arose and addressed the Senate as follows :

SENATORS—I appear here to enter upon the duty which the law imposes upon me of presiding over the sessions of the Senate. I am without the training which legislative experience alone can give, and which most of my predecessors have had. I shall, therefore, need your indulgence and assistance. In return for which, I assure you that I shall endeavor to do my duty without partiality or prejudice.

Inasmuch as it is only under special and infrequent circumstances that I am called upon to take part in your action, it would not be suitable for me to discuss any of the matters which are likely to engage your attention ; but I will venture to express the hope, which I am confident will be fully realized, that your labors here may meet with the approval of your several constituencies, and tend to the prosperity and advancement of the State.

Mr. Robertson offered the following :

Resolved, That a committee of two be appointed to wait upon His Excellency the Governor, and inform him that the Senate is organized and ready to proceed to business.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President announced as such committee Messrs. Robertson and Lord.

Mr. Selkreg offered the following :

Resolved, That a committee of two be appointed to wait upon the honorable the Assembly, and inform that body that the Senate is organized and ready to proceed to business.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President announced as such committee Messrs. Selkreg and Dayton.

Mr. Dickinson offered the following :

Resolved, That the Senate meet daily at eleven o'clock, A. M., until otherwise ordered.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Lowery offered the following :

Resolved, That Rev. Dr. Ebenezer Halley be elected Chaplain of the Senate for the ensuing session of the Legislature, and that his compensation be the same as that of last session.

Mr. Johnson moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King offered the following :

Resolved, That the Attorney-General be and hereby is respectfully requested to report to the Senate, at his earliest convenience, his opinion as to the validity of the act known as chapter 864 of the Laws of 1868 ; and further, what action, if any, has been taken by him in pursuance of

the resolution adopted by the Senate on the 23d of April, 1874, wherein he "is directed to inquire whether the act entitled 'An act to authorize the drainage of marsh lands,' being chapter 864 of the Laws of 1868, was passed by the authority and with the legislative forms requisite to give it validity; and, if he shall be of opinion that it does not conform to the requirements of the Constitution, that he be further directed to take such measures as may be necessary to obtain a judicial decision thereon."

Mr. Gross moved to amend the resolution by striking out all after the word "validity."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Clerk announced the following appointment:

For Clerk's and Bank Messenger, Henry L. Glidden, in place of S. C. Curran, resigned.

Mr. Woodin presented three petitions of inhabitants of Skaneateles and Owasco, and of the supervisors of Cayuga county for a change of boundary lines; which were read and referred to the committee on the judiciary.

Mr. Jacobs moved that the Senate take a recess until twelve o'clock, M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

TWELVE O'CLOCK, M.

Senate again met.

Mr. Woodin moved that the Senate take a further recess until half-past twelve o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

TWELVE AND A HALF O'CLOCK, P. M.

Senate again met.

Mr. Silkreg, from the committee appointed to wait upon the honorable the Assembly and inform that body that the Senate was organized and ready to proceed to business, reported that the committee had performed that duty.

Mr. Robertson, from the committee appointed to wait upon the Governor and inform him that the Senate was organized and ready to proceed to business, reported that they had discharged that duty, and that His Excellency was pleased to say that he would communicate with the Senate by message.

Mr. King presented the Second Annual Report of the State Commissioner in Lunacy; which was laid upon the table and ordered printed.

(See Doc. No. 7.)

Mr. King offered the following:

Resolved, That 500 extra copies of the report of the State Commissioner in Lunacy be printed for the use of the Senate, and 500 for the use of the Commissioner.

Ordered, That said resolution be referred to the committee on public printing.

Messrs. Waehner and Vedder, a committee from the Assembly, appeared in the Senate, and announced that the Assembly was organized and ready to proceed to business.

A message from His Excellency the Governor was received and read in the words following:

EXECUTIVE CHAMBER, }
ALBANY, January 5, 1875. }

To the Legislature:

At the advent of a new year, when the public bodies assemble, to consult in respect to the affairs, and to transact the business of the State, our first thought should be, to offer up devout thanksgiving to the Supreme Disposer of events, for the blessings which we have enjoyed during the year now closed. Our great Commonwealth comprises a population of more than four and a half millions—largely exceeding that of the whole United States at the formation of the Federal Government—and embracing vastly more extensive and diversified interests and activities. Our sense of duty ought to be commensurate with the magnitude of the trust conferred upon us by the people. Forming, as our State does, so important a part of the American Union, the benefits of an improved polity, of wise legislation, and of good administration, are not confined to our own citizens, but are felt directly and by their example, in our sister States, and in our national reputation throughout the world. Mindful, with you, of these considerations, I proceed to perform the duty enjoined by the constitution upon the governor, to “communicate, by message to the Legislature,” “the condition of the State,” and to “recommend such matters to them, as he shall deem expedient.”

RECEIPTS AND EXPENDITURES.

The receipts into and payments from the Treasury, on account of all the funds, except the Canal and Common School Funds, for the fiscal year ending September 30, 1874, were as follows:

Receipts	\$26,465,370 43
Payments	19,636,308 36

Balance in the Treasury September 30, 1874..	\$6,829,062 07
The available balance amounted to.....	\$6,494,881 44

The difference being made up by the defalcation in the State Treasury in 1873, of \$304,957.91, and the sum of \$29,222.72, being an old balance due from the Bank of Sing Sing.

STATE DEBT.

On the 30th of September, 1873, the total funded debt was \$36,530,406.40, classified as follows:

General fund.....	\$3, 988, 526 40
Contingent (stock issued to the Long Island Railroad Company)	68, 000 00
Canal.....	11, 352, 880 00
Bounty	21, 121, 000 00
	<hr/>
	\$36, 530, 406 40
	<hr/>

During the months of August and September, 1873, stocks of the Bounty Loan were purchased to the amount of \$306,000, but not canceled until after September 30, 1873. Deducting this sum, the bounty debt amounted to \$20,815,000, and the total debt to \$36,224,406.40.

On the 30th September, 1874, the total funded debt was \$30,199,456.40, classified as follows:

General fund.....	\$3, 988, 526 40
Contingent.....	68, 000 00
Canal.....	10, 230, 430 00
Bounty	15, 912, 500 00
	<hr/>
	\$30, 199, 456 40
	<hr/>

The actual reduction of the State debt during the fiscal year ending September 30, 1874, by cancellation of matured stocks, and by the purchase of \$4,902,500 of Bounty Loan 7s of 1877, for the Bounty Debt Sinking Fund, is \$6,024,950.

In addition to the \$4,902,500 of Bounty Stock, purchased for the Bounty Debt Sinking Fund during the last fiscal year, and canceled, there have been investments for that sinking fund, since the date of the last report to the present time, in State Securities and Government Registered Bonds to the amount of \$4,381,500, at a cost of \$4,972,091.35; add \$327,283.88 premium and \$3,210 commissions on Bounty Loan Stock purchased and canceled, and \$1,421,584, interest on Bounty Debt, makes a total of \$11,626,667.23 paid on account of this Sinking Fund since the date of last report to the present time. The securities, now held in trust for this sinking fund, amount, at their par value, to \$6,802,944.09, which could be disposed of, at the present market rates, at an average premium of over twelve per cent.

The following statement shows the amount of the State debt on the 30th September, 1874, after deducting the unapplied balances of the sinking funds at that date:

	Debt on the 30th September, 1874.	Balance of sinking funds on 30th September, 1874.	Balance of debt after applying sinking funds.
General Fund.....	\$3,988,526 40.	\$4,142,693 84	
Contingent	68,000 00	32,823 49	\$35,176 51
Canal.....	10,230,430 00	1,561,018 99	8,669,411 01
Bounty.....	15,912,500 00	*7,125,278 20	8,787,221 80
	<u>\$30,199,456 40</u>	<u>\$12,861,814 52</u>	<u>\$17,491,809 32</u>

The State debt on the 30th September, 1873, after deducting the unapplied balances of the sinking funds, amounted to..... \$21,191,379 34
On the 30th September, 1874, to..... 17,491,809 32

Showing a reduction of..... \$3,699,570 02

TAXES.

The State tax levy for the current year amounted to 7 $\frac{1}{2}$ mills.

The total amount of the tax will be \$15,727,482.08, about \$900,000 in excess of the amount levied during the preceding fiscal year.

OTHER DEPARTMENTS OF THE STATE.

Summary statements in respect to the Banks, Savings Banks, Trust, Loan and Indemnity Companies, Insurance Companies, Quarantine, the Emigration Commission, Common Schools, Colleges and Academies, the State Library and Museum, the National Guard, the soldiers of the war of 1812, the war claims against the United States, the Salt Springs and the State Prisons, are appended. The full reports of the public officers and boards, charged with the special care of these subjects, will be transmitted as soon as their preparation is completed. Your attention is invited to them, and especially to the report of the Comptroller, which will be submitted at the opening of the session.

STATE CENSUS.

The Constitution provides that an enumeration of the inhabitants of the State shall be taken, under the direction of the Legislature, in the year 1855, and at the end of every ten years thereafter.

Chapters 64 and 181 of the Laws of 1855, and chapter 34 of the Laws of 1865, which remain in full force, prescribe the manner of taking the enumeration.

These acts require the Secretary of State to prepare uniform blank returns and abstracts, for the purpose of taking the enumeration and obtaining statistical information as to population and social statistics, the resources and interests of the State, individual and associated

* Deducting interest accrued to October 1, 1874, payable January 1, 1875.

industry, agriculture, the mechanic arts, commerce and manufactures, education, and other information of great value to the statistician and all classes of citizens, and will probably require little or no modification.

It will be necessary for the Legislature to make an appropriation to enable the Secretary of State to carry into effect the provisions of the Constitution and statutes above referred to. A sum equal to the amount appropriated in 1865 for that purpose, by chapter 598 of the Laws of that year, will probably be sufficient.

The Secretary of State has taken preliminary steps toward taking the enumeration, and looks to the Legislature for an early appropriation to enable him to go forward with the work.

PAUPERISM.

The annual report of the State Board of Charities will be laid before the Legislature, and I commend it to your attention. It will contain the results of a special examination in respect to the condition of children in the poor-houses, and the subjects of out-door relief and alien paupers. The laws relating to pauperism need revision and amendment. The growth of the State in wealth and population has brought with it more complex relations between capital and labor, which should be carefully studied, in order that legislation may be adapted to their requirements. I suggest whether it is not advisable that a commission be appointed to investigate and report upon the management and relief of the poor, and to propose such legislation as will tend to relieve the industry of the State from the evils which result from poor laws, vicious or inadequate in conception, or defective in execution.

CENTENNIAL EXHIBITION.

The celebration of the centennial anniversary of American Independence will occur in the year 1876. Under the auspices of the general government an international exhibition of arts, manufactures and natural products will be held in the city of Philadelphia. Provision has already been made for the appointment of a board of five commissioners to represent this State, who are to serve without compensation. I recommend a moderate appropriation of money, which will be required to defray the necessary expenses of the commission, and enable this State to take such part in the exhibition as will testify our sense of the greatness of the event commemorated, and is suitable to the dignity of our Commonwealth.

CONSTITUTIONAL AMENDMENTS.

The adoption of the recent amendments to the Constitution renders necessary some important legislation in order to carry them into full effect. The changes made in article 2 require corresponding changes in the election laws, with respect to challenges and the oaths thereupon, and the enactment at the present session of a law "excluding from the right of suffrage all persons convicted of bribery or of any infamous crime."

The amendment of section 4 of article 8 of the Constitution, requires the enactment of a "general law conforming all charters of savings banks, or institutions for savings, to a uniformity of powers, rights and liabilities."

The addition of article 15 necessitates the passage of an act prescribing the punishment for the offense of bribery created in sections 1 and 2. Some legislation may be necessary in consequence of the change in the mode of compensating members of the Legislature, and in some other matters which will readily occur to you.

The section added to article 3 as section 18 requires the passage of general laws, providing for the cases in which special legislation is prohibited by that section. Many of these cases are within existing general laws, and, with respect to several others, no immediate legislation seems to be required. Doubtless, however, some legislation is expedient, either in the way of enacting statutes providing for the cases to which the existing statutes do not apply, or in the way of amendments to existing statutes.

The provision prohibiting special legislation in the cases specified is the amendment, from which the largest benefits have been anticipated. In framing the general laws which are to provide for these cases, great caution will be necessary. The part I took in the Convention of 1846, and even before the enactment of the general banking law of 1838, in advocating the principle of general laws in its application to the creation of corporate bodies which had been practical monopolies, and to other cases where it seemed to be safely applicable, may justify me in suggesting some qualification of the advantages to be derived from the change, unless it be accompanied by especial foresight and wisdom.

It will doubtless be an unavoidable necessity to modify existing general laws, and to shape new ones to be enacted with reference to special and peculiar cases. It is quite possible to give a general form to the phraseology of every enactment intended to apply to a special case, and to operate as a special grant of powers.

The benefit intended to be secured by the prohibition may thus be defeated. Even greater mischiefs than those which existed under the old system may be created.

The parties interested in promoting a law intended to obtain special powers for a particular case, cannot be relied on to guard against the possible operation of the general provision in the other cases to which it may be applied. The legislators, who could measure the whole consequences of an act limited in its terms to a special instance, cannot foresee the possible cases to which a general law adapted to the instance present to his mind, may be found capable of applying, or what operation it may have. There will, therefore, be great danger of vague, loose and hasty legislation in contemplation of one object, but capable of working in numerous cases results neither foreseen or intended.

The new legislation called for by this provision should be framed with more than ordinary care.

FRAUDS AND MALVERSATION BY PUBLIC OFFICERS.

It will be the first and most imperative of our duties to revise the laws which are intended to provide criminal punishment and civil remedies for frauds by public officers, and by persons acting in complicity with them. The condition of our existing statutes and of our unwritten law, as its provisions for such cases have been construed and declared by recent decisions of the court of final resort, disclose grave defects. The practical evils resulting from these defects are greatly increased by the recent frequency and magnitude of violations of official trust.

IMPERFECTION OF CRIMINAL LAWS.

The statutes punishing embezzlement are held not to apply to such offenses, when committed by public officers. The statutes relating to larcenies are deemed to be of questionable application to a fraudulent acquisition of public funds, existing in the form of credits inscribed on the books of a bank, and known in the language of commerce as deposits. The statutes in regard to obtaining money or property by false pretenses, are not free from technical embarrassments in their application to public frauds. Without assenting to the conclusion that these statutes are wholly unavailable in such cases, it cannot be doubted that they are inadequate, unfit for the exigencies of the times, and that they abound in needless technical questions which tend to the defeat of public justice.

No illustration of these defects can be so impressive, as certain facts of recent experience. A public officer designated by statute of the State, and authorized, with two others, to audit the then existing liabilities against the county of New York, fraudulently made an audit, or certified to an audit not made, of fictitious claims to the amount of six millions of dollars, and instantly received a million and a half of the money paid on such audits, through a common agent between himself and the pretended owners of the claims. For this flagrant crime, accompanied by many circumstances of aggravation, the eminent counsel, who represented the people, deemed it prudent to seek convictions only for misdemeanors in neglect of official duty, the punishment for each of which is imprisonment in the penitentiary for a term not exceeding one year, and a fine not exceeding two hundred and fifty dollars. When we consider that a person, who, under the temptation of pressing want, steals property of the value of over twenty-five dollars, is liable to imprisonment in the State prison for a term of five years, and that the other offenses against private property are punishable with corresponding severity, the inadequacy of the law applicable to great public delinquents, betraying the highest trusts, and plundering the people on a grand scale, is revolting to all just notions of morality and justice.

RECOMMENDATIONS.

I recommend the enactment of a statute which shall clearly embrace such offenses, and impose penalties upon them proportionate to their moral turpitude and to the mischief which they inflict upon society.

It can apply only to future cases; but it may be expected to do something toward preventing a recurrence of such evils.

CIVIL REMEDIES.

The existing civil remedies applicable to such cases are no less inadequate. For the last three years, the spectacle has been exhibited on the conspicuous theater of our great metropolis, of fraudulent officials remaining in quiet possession and making unobstructed dispositions of great wealth, which we are morally certain was derived from their spoliation of public trusts, notwithstanding legal proof of the most conclusive nature exists of their guilt. In the meantime, civil actions have been dragging their slow length along, as in ordinary cases of disputed rights, while the "laws delay" has been maintained by the use of the vast fund abstracted from the public, and no process has been found in our laws by which it could be attached and preserved pending the litigation, or its disposition interfered with before final judgment.

RECOMMENDATION.

A bill to extend to such cases the remedy of attachment as in case of foreign corporations, or non-resident, absconding, or concealed defendants, has been heretofore submitted to the legislature. I trust that such a measure will be speedily adopted. I recommend, further, that preference be given to such cases in the courts, whoever may be the party plaintiff.

A GREAT DEFECT IN OUR JURISPRUDENCE.

A still more serious defect exists in our jurisprudence. Where a wrong is committed, which affects the treasury of a city, county, town or village, the officers who would be the proper plaintiffs in any suit for redress, or who possess exclusively the power to institute or conduct such suits, may be themselves the wrong-doers, or be in complicity with the wrong-doers. In every such case, the remedy must, of course, be very much embarrassed, if not wholly unavailing. The unfaithful incumbents may be entitled to serve for a long term, or they may possess great facilities for gaining the favor of their successors. While the remedy is thus delayed — perhaps for years — the proofs may be lost; or the depredators may make away with their property, and withdraw their persons from the reach of process; or they may, through the lapse of time, become discharged from liability by the statute of limitations. As the offense becomes stale, the public sentiment, which inspires voluntary efforts of patriotic citizens in behalf of the people to seek redress, is wearied and weakened. On the other hand, temptations are strengthened and developed into actual crimes by the prospect of impunity, which grows out of tardiness and uncertainty in the remedial law.

ATTEMPTS TO REMEDY THAT DEFECT.

The frequent occurrence of malversation in local governing officials, has stimulated ingenuity to devise some judicial remedy. At first it

was conceived that the injured tax payers or inhabitants might, in their own names, invoke judicial aid. An analogy was set up to the case of a private corporation in which a corporator, on the omission of the directors to sue, might bring an action, in behalf of himself and his associates, making the corporate body a defendant. The idea received much favor from the courts in the judicial district which comprises the city of New York.

But the Court of Appeals in *Roosevelt v. Draper*, and in *Doolittle v. Supervisors of Broome County*, decided that the individual tax payer had no special interest distinct from that of the public, which would enable him to sustain an action, in person, for the redress of a public wrong of the nature involved in those cases. In the former case, the intimation was made, that the true "remedial process against an abuse of administrative power tending to taxation, is furnished by our elective system, or by a proceeding in behalf of the State;" in the latter, that "for wrongs against the public, the remedy, whether civil or criminal, is by a prosecution instituted by the State in its political character, or by some officer authorized by law to act in its behalf."

The whole reasoning of the court proceeded upon this ground, nor does it seem to have been questioned by the counsel on either side. The remedy intimated in these decisions has been recognized as established law in Great Britain, from which we inherit our equity jurisprudence, by a series of great precedents. It has been applied to populous municipalities, like Liverpool, and to corporate funds derived from taxation, and applicable to general municipal purposes. It is a natural deduction from the historic origin and the expansive philosophy of the equity system, whose proud boast has ever been that it leaves no wrong without a remedy.

On the discovery in 1871 of the frauds committed by the governing officials of the municipality of New York, the Attorney-General, acting on these intimations of our own courts and on the English precedents, instituted actions against the parties inculpated by positive proofs. Within the last year the Court of Appeals, in the cases of *The People v. Tweed*, *Ingersoll et al.*, and of *The People v. Fields*, has decided that the State cannot maintain those actions. The result is at last arrived at, that neither the taxpayer, nor the State in his behalf, can seek redress; that in all the long interval, nobody has been competent to sue or conduct a suit, except some corporation counsel who was an appointee of the accused parties. This is a state of our jurisprudence which calls for new legislation.

NEW LEGISLATION.

In choosing between the two expedients of vesting the right to sue in the individual taxpayer or in the State, it is obvious that the latter should be preferred. The existing statutes intended to confer some limited rights on the individual taxpayer, are practically nugatory. The reasoning of the Court of Appeals, in the cases denying him the right under our customary jurisprudence or the common law, argues with cogency the inconveniences which might attend the possession of such a power by every member of so multitudinous a

body. The wiser alternative is to vest the power in the people of the State, acting by their Attorney-General. It will be analogous to the authority which exists in respect to private corporations and in cases of nuisances, and of *quo warranto*: and will be in conformity to the safe methods and traditional usages of equity jurisprudence.

LOCAL SELF-GOVERNMENT.

The establishment of such a remedy for the injured taxpayer or citizen will not detract from, but will make possible, and will found on a durable basis local self-government. Human society will struggle, like every thing that lives, to preserve its own existence. When abuses become intolerable, to escape them it will often surrender its dearest rights.

All the invasions of the rights of the people of the city of New York to choose their own rulers and to manage their own affairs — which have been a practical denial of self-government for the last twenty years — have been ventured upon in the name of reform, under a public opinion created by abuses and wrongs of local administration, that found no redress. When the injured taxpayer could discover no mode of removing a delinquent official, and no way of holding him to account in the courts, he assented to an appeal to the legislative power at Albany; and an act was passed whereby one functionary was expelled, and by some device the substitute selected was put in office. Differing in politics as the city and State did, and with all the temptations to individual selfishness and ambition to grasp patronage and power, the great municipal trusts soon came to be the traffic of the lobbies. It is long since the people of the city of New York have elected any Mayor who has had the appointment, after his election, of the important municipal officers. Under the charter of 1870 and again under the charter of 1873, the power of appointment was conferred on a Mayor already in office. There has not been an election in many years, in which the elective power of the people was effective to produce any practical results, in respect to the heads of departments in which the actual governing power really resides.

A new disposition of the great municipal trusts has been generally worked out by new legislation. The arrangements were made in secret. Public opinion had no opportunity to act in discussion, and no power to influence results. Inferior offices, contracts, and sometimes money were means of a competition, from which those who could not use these weapons were excluded.

Whatever defects may sometimes have been visible in a system of local self-government, under elections by the people, they are infinitely less than the evils of such a system, which insures bad government of the city, and tends to corrupt the legislative bodies of the State.

A popular election invokes publicity — discussion by the contending parties — opportunity for new party combinations, and all the methods in which public opinion works out results.

OFFICIAL ACCOUNTABILITY A CONDITION OF MUNICIPAL INDEPENDENCE.

No part of the civic history of this State is more instructive than the recorded debates of the Convention of 1821, on the question of electing, by the voters of the counties, the sheriff, who is the executive arm of the State. It was thoughtfully considered by our foremost statesmen. Its solution embraced the two ideas — the selection by the locality, and the removal for cause by the State. The Convention of 1846 carried its dispersion of the power of choosing local officers, much farther, on the same system. That system is to distinguish between the power of electing or appointing the officer and the power to hold him to account. It is, while dispersing the one to the localities, to reserve the other to the State, acting by its general representatives, and as a unit; to retain in the collective State a supervisory power of removal, in addition to whatever other accountability may result to the voters or authorities of the locality, from the power to change the officer at the expiration of his term, or from special provisions of law.

The two ideas are not incompatible. On the contrary, each is the complement of the other. Such dispersion of the appointing power has become possible, only because these devices have been invented to preserve accountability to the State.

The right of the State, by its general representatives to remove, is capable of being made to destroy the local election or appointment. The right of the State to sue is not. It is less in conflict with the local power of election and appointment. Official accountability is not complete if there is no remedy for official wrongs but removal. That remedy needs to be supplemented by accountability in the courts on the appeal of a taxpayer or citizen of the locality. If a right to that appeal is denied, the appeal will continue to be made, on often recurring occasions, to the legislative power; and the system of the last twenty years will be perpetuated.

MUNICIPAL PROBLEM.

The problem of municipal government is agitating the intellect of all civilized peoples. In our own State it is the more interesting and important because it involves the half of all our population, which lives in cities or large villages.

The frame-work of the system which we should adopt must be intrenched in the fundamental law; and protected, by constitutional restrictions, from arbitrary and capricious changes by legislation. This problem failed of any solution in the recent amendments to the Constitution. It is worthy of long continued thought and debate. Time and discussion will at last mature a safe and wise result.

THE ERIE CANAL AND THE TRANSPORTATION PROBLEM.

The State of New York, not denying the general unfitness of government to own, construct or manage the works which afford the means of transportation, saw an exception in the situation, and in the nature of the canals, which are trunk communications between the

Hudson and the great inland seas of the North and West. They connect vast navigable public waters, and themselves assume something of a public character.

THE NATURAL PASS OF COMMERCE.

The voyage from Europe to America, even if destined to Southern ports, is deflected by the ocean currents so as to pass closely by the gates of our commercial metropolis. That capacious harbor is open the whole year, accessible in all prevailing winds, is sheltered, safe and tranquil. From it the smooth waters of the Hudson give transit to the lightest hull, carrying the largest cargo, which the skill of man has brought into use. The head of navigation on the Hudson touches the natural pass of commerce, opened up in the geographical configuration of this continent, where the Alleghanies are cloven down to their base, and travel and traffic are allowed to flow across on a level and by the narrowest isthmus, to the lake ports, which connect with all that great system of inland water communication and interior commerce, the most remarkable, in its character and extent, and accessories, that exists in any part of the globe.

THE NORTHWEST.

Tributary to the western centres of lake commerce, such as Chicago and Milwaukee, are vast areas of fertile soils, which stretch to and partly include the valley of the Upper Mississippi. Open prairies, easily brought into cultivation, fitted for the use of agricultural machinery, adapted to the cheap construction of railways, and peculiarly dependent on their use as a means of intercourse and traffic, have been opened to settlers at nominal prices. They have been rapidly filled by a young, intelligent and energetic population, trained in the arts and industries of an older civilization, and applying them to natural advantages which have been found elsewhere, only in conjunction with the social barbarism of an uninhabited wilderness. They are now covered with a net work of railways, which connect myriads of little centres with the lake ports and with the trunk railways, that bring them into practical contiguity to our great Eastern centres of population, capital, commerce and manufactures.

NEW YORK'S LIBERAL POLICY — THE ERIE CANAL TRUST.

New York, without arrogating to itself an undue share in these achievements, may contemplate with proud satisfaction its contribution to results so magnificent. Important as are the advantages which have accrued to itself, it has not sought to monopolise the benefits of its policy. The price of such cereals and other products of agriculture as are exported in considerable quantities, are mainly fixed by the competitions of the foreign markets, even for our own consumption. The cheapening of the cost of transit, therefore, chiefly profits the producer. This consideration illustrates how large and liberal, in the main, is the policy adopted by the State — a policy which I had the satisfaction of advocating in 1846 and 1867 — of

treating these great works as a trust for the million, and not seeking to make revenue or profit for the sovereign out of the right of way. In consonance with the same policy, was the action of the State in 1851, in permitting the transit free of tolls, upon a railway which it allowed to be constructed between the termini of the Erie canal and along its bank. It had originally undertaken the construction and administration of the canal, in order to create a facile and cheap transportation demanded by the interests of the people, and not otherwise possible to be attained. It did not forget the motive for which it had acted, and remember only its selfish interests as a proprietor. It, therefore, by an act which anticipated the necessity afterward to arise by the construction of rival routes, repealed all restraints on the carriage of property, and opened to free competition every mode of transit, even in rivalry to its own works, for the products of the west and for the manufactures and merchandise of the east.

NOT TO BE ABANDONED.

The Erie Canal remains an important and valuable instrument of transport, not only by its direct services, but by its regulating power in competition with other methods of transportation. The State, so far as we can now foresee, ought to preserve it, and not contemplate its abandonment.

DUTIES OF THE STATE.

If the State accepts the view which commands it to abstain as a proprietor from making profit out of the canal, but to deal with it as a trust, it still has great duties to perform. It is bound, as a faithful trustee, to protect this great work, not only from a spoliation of its revenues and from maladministration, but from empirical changes, proposed in the seductive form of 'specious improvements that would destroy its usefulness while charging it with new incumbrance; and from an improvident tampering with its incomes that would dissipate its means of effecting real improvements.

These are its ever-recurring and its greatest perils.

LAKE AND CANAL NAVIGATION CANNOT BE ASSIMILATED.

The 925 miles of lake navigation from Chicago to Buffalo, and the 495 miles of canal and river navigation from Buffalo to New York, and the 3,000 miles of ocean navigation from New York to the Old World, cannot be made homogenous or even assimilated; each is subject to physical conditions which are unchangeable, and to which the vehicle of transportation must be adapted.

LAKE BOATS UNFIT AS CANAL BOATS.

The rough and stormy lakes require a strong vessel, made seaworthy by its deep keel, fully manned, and of a form intended for speed in an unlimited expanse of water. The canal admits of a light keel, and a shape which will carry a larger proportional cargo; for the boat moves safely in a tranquil channel of water, closely confined by physi-

cal boundaries on the bottom and sides, and cannot but submit to a slow movement.

The propellor of the lakes tends to grow in dimensions. A recent one carries 70,000 bushels of wheat, or 2,100 tons. A barge to be towed by each propellor is a system now being tried with fair prospects of success.

The lake craft of the average size carries less cargo in proportion to the vessel than the canal boat; and it costs twice and a half or three times as much as the canal boat per ton of capacity.

If the Canal were made large enough to pass the lake craft, the transporter could not afford to use the lake craft on the canal. It carries too little cargo — it is too costly — it would have to reduce its rate of motion from about eight miles per hour on the lake to less than three miles per hour, which is the highest aim of the canal boats, that now make only $1\frac{1}{2}$ miles per hour.

Such a vehicle of transport would not be adapted to the water channel it must move in, and would not be economical. Transshipment at Buffalo, with modern machinery, would cost little, compared with the loss incident to using an unfit and illy adapted instrument.

To enlarge the Erie canal to dimensions adapted to the movement of such a vessel, at the rate of less than three miles per hour, would be so inconvenient to the traffic, that it would be easier and cheaper to construct an independent work. That would probably cost a principal sum, the annual interest on which would be greater than the entire amount now received by the carrier for his services, and by the State for its tolls on all the existing business. A shorter route would be likely to be preferred. The Hudson river, from Troy to deep water, would need a similar reconstruction.

ENLARGED LOCKS AND UNENLARGED WATER-WAY.

A project often urged within the last ten years is the enlargement of the locks and other structures of the Erie canal, without a proportionate enlargement of the waterway. That plan exhibits a singular union of injurious costliness and fatal parsimony. It is founded on the fallacy that the use of a large boat, without reference to its adaptation to the waterway in which it is to move, would be economical. It is supported by an estimate of the State Engineer in 1864, that the cost of transportation would be reduced one-half. His opinion has been repeated on all occasions until the present time.

But that estimate, when analyzed, is found to omit all the wages and support of the crew during the return trip, and during the time occupied in loading and unloading, and to allow for the use of the boat about half its real cost. In other respects, it was utterly unworthy of trust.

ECONOMY FROM THE BEST GROUP OF ADAPTATIONS.

The truth is, the boat is but one part of the whole machine of transportation; economy in the service depends upon getting the best adaptation of all the various parts — the boat — the motive power — the canal, with its structures and its waterway; the best group of

adaptations which adjustments and compromises of each can work out and combine; and the resultant of the greatest economies which can be obtained in conjunction.

A larger boat, in a waterway which now needs to be itself enlarged and improved to give a good transit to the present boat, would be an unmixd damage to the economy of the service, attained at immense cost.

PERFECTING THE CANAL THE WISE POLICY.

The Erie canal was planned in view of the best science and experience then possessed. It has excellent adaptations. It is a superior instrument of transportation. It should not be fundamentally changed in its character and conditions without great consideration. It should be perfected, and so made available to every practicable extent, for facilitating and cheapening the exchanges of commodities between the East and the West.

ITS CAPACITY — ITS ECONOMY.

The two questions concerning it are: first, its capacity to do an aggregate business during a given period; secondly, the economy per ton per mile of the transportation it affords. These questions are generally confused in all discussions. They are completely distinct. They depend upon wholly different conditions.

ITS CAPACITY AMPLE.

Capacity to accommodate an aggregate tonnage during a day, a month, or a season of navigation, depends on the number of boats of the normal size which the locks are able to pass during the period. Boats can be multiplied indefinitely. The limit to their use is in the number to which the locks can give transit. The time occupied in a lockage is the test. But it is unnecessary to apply that, for the actual results of experience set at rest every doubt.

Of the seventy-two locks which intervene between the waters of Lake Erie and the waters of the Hudson, all but a few have been doubled for many years. In 1867, when the subject was discussed in the Constitutional Convention, thirteen remained single. For the first time, on the opening of navigation next spring, double locks will be brought into use throughout the entire canal. That will nearly double the capacity of the canal to make lockages. The largest delivery of the Erie Canal at tide-water was in 1862. It amounted to 2,917,094 tons, in cargoes averaging 167 tons. The lockages both ways, and including rafts which pass only one way,—at Alexander's, which is in the throat of the canal, three miles west of Schenectady,—was 34,977. In 1873, the deliveries were 2,585,355 tons, in cargoes averaging 213 tons, and the lockages were 24,960.

The theoretical capacity of the canal will be three or four times the largest tonnage it has ever reached. There is no doubt it can conveniently and easily do double the business which has ever existed, even though the locks be not manned and worked with the highest efficiency. The subject of capacity may, therefore, be dismissed from this discussion.

ECONOMY PER TON PER MILE.

The question really worthy of our attention is how we can perfect the canal, so as to reduce the cost per ton per mile of the transportation it affords.

Quickening the movement of the boat increases the service it renders in a given period. It lessens every element in the cost of that service. It enlarges the number of tons carried in the given time, and by enlarging the divisor of the same expenses, it reduces the rate of cost per ton per mile.

TO BE INCREASED BY PERFECTING WATER-WAY.

The economy in the transit of the boat must be made, not in the locks, but in the water-way. The 72 locks in the 345 miles between Buffalo and West Troy, if each takes five minutes, would occupy exactly six hours.

In October, 1873, 76 boats were timed, and their average passage down, with average cargoes of 227 tons, was 10 days, 2 hours and 46 minutes, or nearly 243 hours. If we double the time taken in the locks, the time occupied on the levels between them would still be over 95 per cent of the whole time of the voyage. It is clear, therefore, that the saving of time must be made in the 95 per cent, and not in the five per cent. Economy per ton per mile in the transportation, so far as it depends on the structure of the canal, is to be found in the relation which the water-way bears to the boat.

The movement of the boat through water confined in an artificial channel — narrow and shallow — is, at best, very slow. The engineers, in 1835, planned the Erie Canal and the boat with such relations to each other as to give the greatest economy of power and facility of transit. The boat has inclined to grow rather large and too square. The water-way was practically never excavated in every part to its proper dimensions. Time, the action of the elements, and neglect of administration, all tend to fill it by deposits. I may be excused for repeating here what I said in the Constitutional Convention eight years ago:

“What the Erie Canal wants is more water in the prism — more water in the water-way. A great deal of it is not much more than six feet, and boats drag along over a little skim of water; whereas it ought to have a body of water larger and deeper even than was intended in the original project. Bring it up to seven feet — honest seven feet — and on all the levels, wherever you can, bottom it out; throw the excavation upon the banks; increase that seven feet toward eight feet, as you can do so, progressively and economically. You may also take out the bench-walls.”

RECOMMENDATIONS.

I recommend that such measures be taken as your wisdom, aided by such information as can be had from the proper administrative officers, may devise, to put in good condition and to improve the water-way of the Erie Canal; and that provision be made by law to enable the State Engineer, soon after navigation is opened, to measure

the depth of water in the canal by cross-sections as often as every four rods of its length, and on the upper and lower mitre-sill of each lock.

FUTURE INVENTIONS AND ECONOMIES.

Such a policy, if properly executed, will give a better and more economical transit to the boats, if they continue to be towed by horses. It will also facilitate the use of steam canal boats, and the full realization of the advantages they may be expected to give as to economy of transportation. The obstacle to their use in 1867 was that the machinery, in its then state, displaced too much cargo to be economical, and was, in other respects, imperfect. The progress of invention since seems to promise more beneficial results. If the movement of the boat can be expedited from $1\frac{1}{2}$ miles to 3 miles per hour, including the time consumed in the lockages, the improvement will be of great importance and value. The estimate of the able engineer of the Commission on Steam Canal Navigation, is that the cost of carriage of a bushel of wheat from Buffalo to New York will be reduced from eight cents to four cents. It is not to be supposed that the inventive genius applied to this interesting subject is exhausted, and if these results shall, in any degree, fail to be realized by the present experiments, we may, nevertheless, anticipate more complete success in the future.

INCOME AND OUTGO.

It will be seen that on the Erie canal alone the surplus of income over expenditures is about $37\frac{1}{2}$ per cent of the gross income. If the three other canals which are to be retained by the State as part of the system be included, the surplus is but $11\frac{1}{4}$ per cent.

TOLLS.

The present tolls on wheat are $3\frac{1}{10}$ cents, and on corn 3 cents per bushel, from Buffalo to Troy — 345 miles. They were reduced in 1870 — those on wheat from $6\frac{1}{100}$, or one-half; and those on corn from $4\frac{3}{100}$ to 3 cents, or about 38 per cent.

One cent per bushel taken off the present tolls, and the same proportion on other articles, would annihilate nearly all the net income of the Erie canal, considered alone, and would make a deficiency, in respect to the four canals retained, of half a million of dollars a year, if future expenditure should be the same as in these three years.

The construction of the details of the toll sheet belongs to the Canal Board, and adjustments from time to time may be necessary. Doubtless suggestions on that subject will always receive due consideration. But in the present condition of things to embark hastily and unadvisedly upon a general reduction of tolls might well be considered as improvident, even in respect to the canals themselves. To confiscate the surplus of one cent, or half a cent per bushel, which alone gives the means of making the improvements expected to realize a reduction of four cents in the cost of transportation, would not seem a wise execution of the trust, even disregarding other considerations which cannot be wholly overlooked.

NO RASH INNOVATIONS.

The question of altering the gates of the locks, or otherwise lengthening the chambers, may be safely deferred until we can be more sure of its utility. The fact that, on the Delaware and Raritan Canal, which admits of long boats, the proportions which exist in those now used on the Erie canal are preferred, is against that alteration, as is also the judgment of excellent canal engineers. Holding ourselves ready to accept improvements which have been subjected to trial and scrutiny, until they are practically assured of success, we ought to exercise the same caution, in respect to rash or crude innovations, which ordinarily governs men in private business.

FINANCIAL RESULTS OF THE LAST THREE YEARS.

The financial results of the fiscal years ending September 30, 1874, 1873 and 1872, for the Erie canal, and for the Champlain, the Oswego, and the Cayuga and Seneca, are as follows:

ERIE.

Year end'g Sept. 30.	Income.	Ordinary repairs.	Extraordinary repairs.	Total expendi- ture.
1872.	\$2,760,147 50	\$1,025,079 09	\$661,942 02	\$1,687,021 11
1873.	2,710,601 49	749,977 03	967,175 39	1,717,152 42
1874.	2,672,787 22	701,340 81	973,548 96	1,674,889 77
	<u>\$8,143,536 21</u>			<u>\$5,079,063 30</u>
Income in excess of disbursements.....				\$3,064,472 91
Average for each year				<u>1,021,490 97</u>

CHAMPLAIN.

1872..	\$150,644 28	\$236,211 47	\$251,871 61	\$488,083 08
1873..	153,417 86	234,677 37	562,782 95	797,460 32
1874..	123,703 54	203,137 90	242,216 43	445,354 33
	<u>\$427,765 68</u>			<u>\$1,730,897 73</u>
				4
Excess of expenditure over income.....				\$1,303,132 05
Average for each year.....				<u>434,377 35</u>

OSWEGO.

Year end'g Sept. 30.	Income.	Ordinary repairs.	Extraordinary repairs.	Total expendi- ture.
1872..	\$90,796 57	\$171,794 82	\$141,673 94	\$313,468 76
1873..	88,428 13	93,938 80	78,880 58	172,819 39
1874..	70,119 59	107,938 21	75,561 29	183,499 50
	<u>\$249,344 29</u>			<u>\$669,787 65</u>
Excess of expenditure over income.....				\$420,443 36
Average for each year.....				<u>140,164 45</u>

CAYUGA AND SENECA.

1872..	\$17,882 58	\$38,267 23	\$26,319 00	\$64,586 23
1873..	22,481 11	27,143 48	6,921 06	34,064 54
1874..	19,311 47	28,934 08	28,517 04	57,451 12
	<u>\$59,675 16</u>			<u>\$156,101 89</u>
Excess of expenditure over income.....				\$96,426 73
Average for each year				<u>32,142 42</u>

RECAPITULATION FOR THREE YEARS.

Income over Expenditure.

Erie	\$3,064,472 91
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Excess of Expenditure over Income.

Champlain.....	\$1,803,182 05
Oswego	420,443 36
Cayuga and Seneca	96,426 73
	<u>1,820,002 14</u>
	\$1,244,470 77
Each year.....	<u>414,823 59</u>

THE PAYING CANALS.

It will be seen that during the last three years the income of the Erie canal considered alone, has been \$8,143,536.21, and its expenses \$5,079,063.30, yielding a surplus of \$3,064,472.91, or an average for each year of \$1,021,490.97. The excess of expenditure over income of the three other canals which are to be retained by the State has been \$1,820,002.14, or three-fifths of the surplus produced by the Erie. Considering the four as a system collectively, the surplus has been \$1,244,470.77, or an average for each year of \$414,823.59.

THE NON-PAYING CANALS.

During the same three years the five other canals, to which the constitutional amendment applies, have given an income of \$119,864.45, or for each year of \$39,954.81, against an expenditure of \$1,596,499.74, or for each year of \$532,166.59. They have consumed all the net income of the paying canals and have charged the State with a loss of \$232,164.52, or for each year, \$77,388.17. In addition to this annual loss, the whole burden of the sinking fund to pay the Canal debt is thrown upon the State.

INCREASE INCOME BEFORE DISCARDING INCOME.

A careful investigation whether the net incomes of the canals retained cannot be increased, ought to precede a surrender of what little now exist. Ordinary repairs should be scrutinized with a view to retrenching their cost, and to obtaining the largest possible results from the outlay. Extraordinary repairs include much which so regularly recurs in different forms, that they must be considered a part

of the maintenance of the works. No doubt they also include improvements which are of the nature of new capital. These and all improvements should be governed by a plan and purpose, leading to definite results; and, instead of scattering expenditures on imperfect constructions, should aim to complete and make available the specific parts undertaken. Unity of administration and of system, both in respect to repairs and improvements, should be established, even if only by the voluntary consultation and co-operation of officers having authority over separate portions of a single work. It is worthy of consideration, whether any legislation can aid in securing the unity in this respect, which existed under our former Constitution.

NEW YORK THE TRUSTEE FOR THE INTERESTS OF ALL.

The State, hearing all parties interested in the use of the Canals, will remember that itself, as an arbiter and trustee, must look equitably to the interests of all. This it will do in a wise, liberal and just spirit. To the last degree possible, it will cheapen facilities to trade. It will aim to preserve for its metropolis its position as the carrier, merchant and banker of the New World.

CHIEF FUNCTION OF THE CANAL SYSTEM — NEW YORK CITY.

Inevitable changes must be recognized as the results of modern inventions and improvements in the machinery of transportation. When water routes alone existed, products came to New York for distribution to points which are now more easily and cheaply reached directly by rail. Railroads covering the country like a net work touch so many points that they are a more perfect and complete agency for the reception and distribution of produce, than a water communication connecting a few principal points; and where the transit from the producer to the consumer requires the use of the rail to reach the water, or after leaving the water, or both, the all rail route will often be preferred. New routes will acquire the business which is naturally tributary to them, and take besides some portion of the general business. The main transportation of Western agricultural products is for local consumption in the East. What comes to us for our own consumption cannot be diverted. What goes for consumption elsewhere cannot be acquired. The exports of agricultural products to foreign countries are but a small part of the whole production. In those, New York will easily continue to maintain her pre-eminence.

The Champlain and Oswego canals are, as well as the Erie, in some sense, trunk canals; and the Cayuga and Seneca canal connects our interior lakes. It is a noteworthy fact that Mr. Flagg, who so long and honorably conducted the State finances when the Canal Department was a bureau in his office, always insisted that with the four canals now to be retained the system was complete. Those it is now proposed to abandon are not fruits of his policy.

DISPOSITION OF THE NON-PAYING CANALS

The adoption of the constitutional amendment removing the prohibition against "selling, leasing, or otherwise disposing of" the

canals owned by the State, in respect to all except the Erie, the Oswego, the Champlain and the Cayuga and Seneca canals, undoubtedly contemplate such action on your part as will disencumber the revenues of the canals retained by the State, and disencumber the treasury of the State from the unproductive works in respect to which the prohibition is withdrawn. It cannot have been supposed possible to "sell or lease" those works, on conditions which require the purchaser to maintain and operate them. To "otherwise dispose of" them amounts to a practical abandonment.

USE AS FEEDERS.

Even to deal with them thus involves many important questions of a business character. Those portions of them which descend toward the Erie canal act as feeders to supply water to that canal. The supply cannot be safely diminished, and might be judiciously increased. The improvement of the water-way contemplated will call for more water. The consideration of what must be done to retain as feeders, portions of these canals not hereafter to be maintained by the State for navigation, or what other provision for a supply of water shall be substituted, is important. To make the change contemplated by the amendment, with as little harm as possible to private interests, and to consider and provide for cases of possible damage which may be caused by the works when falling into disuse, needs careful study of the facts of the situation. It is also to be ascertained what portion, if any, of the property of the State connected with these works can be wisely sold.

A SPECIAL COMMISSION RECOMMENDED.

The best suggestion which occurs to me on this subject, is to impose the duty of considering and reporting on these questions upon a special commission consisting of four persons. In the meantime, no expenditures should be made upon those works, which are not strictly necessary in view of their probable future.

THE INTEREST OF NEW YORK IN THE FINANCIAL POLICY OF THE UNITED STATES.

The State of New York receives nearly seven-tenths of all the imports, and sends abroad nearly half of all the exports of the whole United States. In its commercial metropolis, a much larger share of our dealings with foreign nations in securities and money is transacted, and, as at a common mart, the exchanges are largely made between the people of the United States in domestic manufactures and products, and in public and corporate securities and stocks. More than one-half of the revenues of the Federal Government are collected within its borders; and at least one-fifth of all Federal taxation falls upon its citizens.

Since the Federal Government has assumed to provide a currency for the whole country, directly by the issue of its own notes, or indirectly by bank notes, which are secured upon bonds of the United States, and in case of default by the issuer, are to be paid, before resorting to the securities, by the United States; since it has inci-

mentally absorbed the regulation of the business of banking; since it has largely increased its taxation, and imposes that taxation in forms which affect the courses of industry and the application of capital and labor, it is impossible to exclude these vast operations, and the administrative policy and the legislation connected with them, from a review of "the condition of the State," which it is the constitutional duty of the Governor to communicate with such recommendations "as he shall judge expedient," "to the Legislature at every session."

CAN MORE CURRENCY REVIVE PROSPERITY.

The illusion is too common that an additional issue of currency in legal tenders or bank notes, would alleviate the distress now felt in business, cause a general rise of prices, and revive a seeming, if not a real, prosperity. Thus many are tempted to desire or to acquiesce in a demand upon the Federal Government to put out new promises to pay, while it is yet in a long-continued default as to those heretofore made; and to do so after ten years of peace, while having no better excuse for its present default, than lack of skill in applying its abundant resources to the restoration of the public faith.

The hope of benefits to any class from such an unsound policy, would prove to be completely fallacious. It would prolong and intensify the evils sought to be alleviated. This conclusion is clear upon principle, and in our own experience. In order distinctly to see its truth, it is only necessary to analyze that function in the business of society, which is performed by the circulatory credits known as currency.

CURRENCY BUT A PART OF CIRCULATING CREDITS.

To economize the use of metallic money, which had become the common instrument of exchange, personal credit, in the form of book accounts, was introduced. For example, the farmer delivered to the country merchant his grain when ready for the market, and the merchant delivered his goods at the times when they were wanted by the farmer for consumption; each delivery was entered in a running account, until a balance was struck, and even then the settlement generally took place without the intervention of money, which neither party had the capital to own for each transaction, or to pay the ultimate balance. Next came the note of hand, and, when the transaction was between parties doing business at different places, drafts and bills of exchange. At last the most refined tool of commerce became perfected. The bank note, promising to pay coin on demand, to bearer, in an even and convenient amount, engraved and authenticated — when issued by an institution or individual of established general credit — was voluntarily accepted by everybody in place of coin. It is the currency used in payment by those who do not keep bank accounts; and, in petty transactions, by those who do keep bank accounts. A credit inscribed on the books of the bank, known in the language of commerce as a deposit, and transferred by check, is the preferred medium of payment, in all save petty transactions, by those who keep bank accounts. It is preferred because a check may represent a large and uneven amount, which in notes would be incon-

venient in the counting, handling and custody ; and a check payable to order is safer, and is itself an evidence of the payment. In dense communities, where the bank is near the customers, checks are mostly used. In sparse communities, where the bank is remote from the dealers and holders, bank notes are mostly used.

These two tools of trade and mediums of payment are, in their general functions, perfectly identical.

BANK NOTES AND CHECKS THE SAME IN EFFECT AND NATURE.

Their real nature is, that they are a provision for expected payments, and a reserve for possible payments. On deposits, the holder submits to a partial or total loss of interest, for some banks allow interest, at low rates, on deposits ; on bank notes, the holder submits to a total loss of interest. To each holder the motive is ever present, to reduce his non-interest bearing reserve to the lowest necessary amount, by investing it, if it be his own, or by returning it, if it be borrowed.

THEIR AMOUNT VARIED BY PEOPLE'S WANTS, IF PAYABLE IN COIN.

If the currency be redeemable, the wants of the community, and not the wishes of the banks, will determine the amount which will remain outstanding. All that government ought to do toward fixing that amount, is to provide methods to enforce payment by the issuers of such notes as the holders not wishing to use return to the issuers for redemption.

AMOUNT FLUCTUATES WITH THE TIMES.

It is true that, in times of speculation, the currency increases. Transactions become more numerous. Higher prices cause the same transactions to absorb more of the medium of payment. There is greater disposition to provide for contemplated or possible operations. There is less care to economize the loss of interest on the amount kept on hand. In times of depression all these conditions are reversed. During the long period of downward tendencies, from 1837 to 1842, the currency fell, of itself, to about one-half its amount at the beginning of the period.

THE RELATION OF CURRENCY TO PRICES.

In the ordinary and regular relations between a redeemable currency and prices, the fluctuations in the currency follow, instead of preceding, changes in general prices. The notes in the hands of the public, less the reserve kept for their redemption, form a part of the loan fund of a bank, but that amount is not capable of being increased at the will of the bank, until a speculation has arisen, and higher prices or more transactions have resulted.

Even then, the increase of currency merely provides for the prior increase of prices or of transactions. It may be said, that the increase of currency is a condition without which the increase of prices or transactions could not happen, but that is not true, unless

it be shown that no other tool of credit than bank notes could be used.

In cases where a bank originates a speculation by enlarging its loans, it must do so at the expense of its customary reserve.

It is only artificial changes in the currency — generally made by government — that the currency itself becomes the primal source of speculation. In fact, it nearly always happens that speculative purchases are originally made on personal credit, evidenced by open accounts or notes of hand. The banks are applied to only at the expiration of the original credit; and then what is wanted is not a continued use of bank notes, but a loan of capital. Bank notes are one of the wheels in the machinery of credit. They have no quality peculiar in its action on prices, or different in its action on prices, from any other part of the machinery of credit. The currency, at its present amount of bank notes and legal tenders, is less than the deposits, and is but a small fraction of the whole existing mass of credits, including book accounts, notes of hand, drafts and bills of exchange. And new forms of credit machinery are capable of being invented indefinitely as when, in September, 1873, the New York Associated Banks created a currency of twenty millions of certificates, to be used in the exchanges between themselves.

BUT CURRENCY ONLY SMALL PART OF CIRCULATORY CREDITS.

It is idle to pronounce the machinery of credit a maniac, dangerous to the community, and then to put only its little finger in a strait-jacket.

EXPERIENCE OF ENGLAND.

The experiment of regulating the note circulation only has been completely tried in Great Britain. In 1844, when, on the re-charter of the Bank of England, the bank note circulation of that country was subjected to rules which were supposed to make it fluctuate exactly as if it were coin, it was thought by all but a few great thinkers, that there would ever after be stability of prices and stability of business. But in 1847, in 1857, and in 1866, commercial revolutions of undiminished severity demonstrated the fallacy of these hopes, and of the system on which they were founded. While the note circulation has ever since been confined by law to a nearly constant amount, the deposit circulation has increased many fold. The vicissitudes of credit are as violent as ever. It is apparent that whenever a foreign demand for coin arises, not caused by domestic overtrading, the system creates an artificial scarcity of an important instrument of commerce, and subjects all business to an unnecessary perturbation; that, whenever a panic destroys the credit of inferior dealers, and the interposition of the highest credit is called for to supply the vacuum and revive confidence, the system breaks down — the law limiting the issues of bank notes is suspended with the approval of the Ministry, and with a promise to appeal to Parliament for an act of indemnity.

WHY AND HOW INCONVERTIBLE CURRENCY DEPRECIATES.

The depreciation of a currency, not convertible into coin, represents the interest and risk, as estimated by the judgment of investors, on a loan payable at the will of the government, without interest — subject to such temporary fluctuations, as are induced by the variations in the supply and demand of coin in which that loan is ultimately payable.

THUS INFLATING PRICES.

There is no doubt that the issue of legal tenders during the civil war hastened and greatly increased that inflation of prices, which naturally resulted from the increased consumption and the waste caused by military operations, and from the diminished production occasioned by so large a withdrawal of workers from their ordinary industries.

It is the nature of credit to be voluntary. It is founded on confidence. Credit, on compulsion, is a solecism. So that a forced loan of capital from all existing private creditors cannot but be costly.

LEGAL-TENDER FINANCING.

It was made, in this instance, on a security which bore no interest, and interest on which could only be represented in discount from its par value. It gave to the lender an agreement to pay, which, being instantly due on demand, started in its career a broken and dishonored promise. Every successive holder was left to conjecture when it would be redeemed by the issuer — how far it might be absorbed in the Treasury receipts — whether it could still be paid out to some private creditor — at what loss it could be passed away in new purchases, on a market advancing rapidly and irregularly. Everybody was advised that the Federal Government — unwisely distrusting the intelligence and patriotism of the people — shrank from exercising its borrowing power, supplemented by its taxing power; that, instead of resorting at once to the whole capital of the country capable of being loaned, which forms a vast fund, perhaps thirty or forty times as large as the then existing currency, it chose to begin by debasing that comparatively insignificant part of circulating credits, creating fictitious prices for the commodities and services for which it was next to exchange its bonds, in an expenditure ten times as large as the whole amount of the legal tenders it ventured to put afloat. No man could know how often or how much of legal tenders might be issued, under possible exigencies of the future. It could not be wholly forgotten that such issues, made by our ancestors to sustain the victorious war for national independence, were never redeemed, while the public loans made for the same purposes were all paid. It was remembered that history affords other warning examples to the same effect. These elements of distrust were needlessly invoked. But the system stopped short of the logical completeness of the expedients of the French Convention in 1793. While it compelled the existing private creditor, or any body

who should grant a new credit, to accept payment in legal tenders, it did not assume to regulate the prices of commodities. The seller, therefore, gradually learned to represent the depreciation of the currency in the price of the article he exchanged for it. As compared with gold, the currency, during all the last year of the war, was depreciated to between forty and fifty cents on the dollar, touching at its lowest point thirty-five cents on the dollar.

HOW IT RAISED PRICES BY PROVOKING SPECULATION.

It was not alone by the direct effect of the depreciation of the currency that prices were acted upon; speculation was engendered. Political economy takes little account of the emotional and imaginative nature of man. In long periods, with numerous instances, the average, deduced as a law, may perhaps discard that element. But in a particular instance, or at a particular time, it is often very potent, and must be estimated in any calculation which aims at accuracy.

After a period of rest — when the disposition to activity begins to revive — a slight circumstance often excites a speculation that becomes general. The opening of a new market, an apprehended deficiency in the supply of a commodity, any one of a thousand circumstances, may, in a certain state of the public mind, be a spark to kindle a blaze of speculation throughout the commercial world. How much more, then, might it have been expected that such a governmental policy would inspire and inflame the spirit of speculation? The effect was greatest during the process of a new issue of currency, or while it was anticipated. After the issue was completed, there was generally a subsidence, or a reaction.

AND NEEDLESSLY DOUBLED THE BURDEN OF THE WAR.

The government consumption during the war was mostly of our domestic products. As soon as the channels of traffic could be adapted to the new points of consumption, and the new classes of consumers, there was no more difficulty in the transfer of these products from producers to consumers than in the ordinary operations of commerce during peace.

Governments, in times of public danger, cannot be expected always to adhere to the maxims of economical science; the few, who would firmly trust to the wisest policy, will be often overborne by the advocates of popular expedients dictated by general alarm. If the Federal government had paid out treasury notes, not made a legal tender, in its own transactions whenever it was convenient, and redeemed them by the proceeds of loans and taxes on their presentation at a central point of commerce, and meanwhile had borrowed at the market rates for its bonds, secured by ample sinking funds, founded on taxation, and had supplemented such loans by all necessary taxes, the sacrifices would not have been half that required by the false system adopted, perhaps the cost of the war would not have been half what it became.

This analysis of the process, by which the changes in the currency operated to produce the effect on prices witnessed by the people, is necessary, in order to intelligently discuss the problem now pressed upon us. For the fallacy lurks in many minds, that the quantity of the currency, even when it has become stationary and quiescent, creates by its direct action, a state of prices proportionate to that in quantity.

RELATION OF THE QUANTITY OF CURRENCY TO THE RANGE OF PRICES.

But this fallacy is confuted by our own experience. The premium on gold fell from 185 in July, 1864, to 29 in May, 1865; or rather the currency rose from 35 cents to 77 cents in gold value, while the amount of the currency remained undiminished. The quantity of the currency in the hands of the public — taking the aggregate of the legal tenders and the bank notes, and excluding all of both which are held by the Treasury or by the banks — is now larger than at any former period. The existence of such a quantity has not arrested the tendency to a general fall of prices. The present inconveniences in business, which it is proposed to remedy by a new issue of currency, have originated and gone on to their maturity, while the currency was being distended to its greatest volume.

EXCESS OF CURRENCY, YET FALLING PRICES.

An excess beyond what is capable of being used for the business of society is now, for the first time, distinctly indicated. The movement of the crops in the last autumn — which requires something like one-tenth addition to the ordinary amount — created no stringency. The banks have voluntarily withdrawn some millions of their circulation. It is probable that the amount capable of being absorbed by the business of the country will continue to fall for a long period.

WHEN INFLATION CANNOT INFLATE.

In such a condition of business, of credit, and of the public temper, a new issue of currency would not cause a rise of prices, unless it were so excessive as to occasion speculative depreciation, or distrust of ultimate redemption. It could not re-animate the dead corpse of exhausted speculation. A period of quiescence must ordinarily precede a renewal of the spirit of adventurous enterprise.

DISTRESS FROM FALLING VALUES AND LACKING CAPITAL.

The distress now felt is incident to the continued fall of values, which is the descending part of the cycle through which they must pass after being forced up to an unnatural elevation. The want felt is a want of capital which the party does not own, and has not the credit to borrow; not a lack of currency. It is caused by investments in enterprises which have turned out to be wholly or partially bad, or which give slower returns than were anticipated — by too much conversion of circulating capital in fixed capital — by exces-

sive undertakings or engagements, induced by a reliance on a credit that was transient. In a period of falling prices, good property becomes less convertible. It loses its circulatory quality. It almost ceases to be a resource to obtain money.

HOW DISTRESS CANNOT BE CURED.

These inconveniences would not be removed, if the government should put out legal tenders and take in a corresponding amount of bonds, or if a bank should deposit bonds, and receive notes in exchange. Still the individual distressed for the want of capital would have no additional means to buy or borrow these new issues, which the new owner would obtain only by paying for them. A diminution of the government bonds outstanding, is a condition of the increase of legal tenders or bank notes. If an embarrassed person could obtain the government bonds surrendered or deposited, he would be as much relieved by his power to dispose of them, as he would by a power to dispose of the legal tenders or bank notes. His difficulty is that he is equally unable to obtain either. He has not the means to buy, or the credit to borrow, them. What he wants is something to make his bad investments good — his slow investments current; something to make his property convertible — to impart to it a circulating quality, as when there is a general rise of values under a speculative excitement, and everybody is disposed to buy, and every thing finds a ready market.

INCREASE OF CURRENCY CANNOT CURE DISTRESS.

He wants something to create in others a disposition to buy, in order that he may be able to sell. This is what, in the present state of things, an increase of the currency will not do. It would not act mechanically on prices. It does not operate by physical means. It simply influences the minds of men. It induces them to buy, and, in the effort to do so, they bid up prices. It is only when the minds of men are disposed to receive an impulse toward buying, that such an effect is produced. When speculators go into the market to influence others to buy, in order that they may sell, the conference usually ends in a fall. Even when speculators go into the market to sell on an event expected to cause a rise, the result is commonly a fall. Everybody cannot get out at once, at the expense of others.

CHANGING FORMS AND VARYING VOLUME OF CIRCULATORY CREDITS.

The amount of currency required by the needs of business is not to be decided by former experience. There is no doubt that, on the first issue of legal tenders, they were largely substituted for other forms of credit. A single case will illustrate: The sudden rise in prices enabled the farmer to become the owner of the floating capital, on which his next year's dealings with the country merchants were to be carried on. The habits of business change to adapt themselves to new conditions. It is possible that the government might cautiously

follow the tendencies of trade, and retire each clearly ascertained surplus without doing any harm. But a withdrawal of any considerable portion of the amount required at the season of the year which creates the large demand, would produce serious and unnecessary distress. The adoption of a system which should threaten such a result would be very mischievous. The Federal Government is bound to redeem every portion of its issues which the public do not wish to use. Having assumed to monopolize the supply of currency and enacted exclusions against everybody else, it is bound to furnish all which the wants of business require. The case is, as if the government should undertake to monopolize the supply of lake propellers or canal boats to bring grain to market. If it should not furnish enough, the derangement of business and the distress of producers and consumers would be intolerable. While securing redemption, the government should organize a system which passively allows the volume of circulating credits to ebb and flow, according to the ever-changing wants of business. It should imitate, as closely as possible, the natural laws of trade which it has superseded by artificial contrivances.

EASY CONDITIONS OF RESUMING SPECIE PAYMENTS.

The ability of the Federal Government to resume specie payments, is thus simply a question of its command of resources to pay such portions of the circulating credits it has issued, as the public not wishing to use, may return upon it for redemption. The amount to be paid cannot be considered large, in comparison with its financial operations. It has the taxing power, and by reducing its expenditure could accumulate an adequate surplus. It has the borrowing power and good credit. It can make permanent loans and pay the treasury notes which are returned for redemption. It can convert them or fund them into interest-bearing securities. In that case, they would cease to be currency, and would take their place among investments like national, state, municipal, railroad, or other corporate bonds, or any of the numerous forms of moneyed securities, of which many thousand millions are held in our country. The circulatory quality, in securities of equal general credit, is chiefly a question of the rate of interest they bear.

The amount of coin necessary for resumption is, *first* an adequate reserve to meet the demand for exportation, for which the treasury would become the universal reservoir; and *second*, a surplus sufficient fully to assure the people that the treasury supply would not be exhausted. The power to command coin as the owner of foreign bills of exchange, or in other forms, would, to a large extent, be equivalent to possessing coin. Beyond such an amount of coin, the question is simply a question of capital.

The exact time of actual resumption, the process, the specific measures, the discreet preparations — these are business questions to be dealt with, in view of the state of trade and of credit operations in our own country, the course of foreign commerce and the

condition of the exchanges with other nations, the currents of the precious metals, and the stocks from which a supply would flow without undue disturbance of the markets of other countries. These are matters of detail, to be studied on the facts and figures. They belong to the domain of practical administrative statesmanship.

RESUMPTION LESS COSTLY THAN PRESENT IMPOLICY.

It is quite clear that the problem ought to be worked out, without costing the country any thing like such disturbance in its business and industries as the operations of the Federal Government during the last ten years have repeatedly created. The natural causes which affect trade may be foreseen, and all dealers can calculate them with equal advantages in every thing, except their own differences in intelligence and judgment. But the action of an official conducting the largest financial operations in the country, and exercising dominion over the circulatory credits that are part of the machinery by which the mass of private transactions are carried on, cannot but tend to create in all industries, uncertainty, confusion and miscalculation.

HOW PRESENT IMPOLICY HARASSES ALL BUSINESS MEN.

It was said, after the revulsion of 1837, that the barometer of the money market of America hung up in the parlor of the Bank of England. The barometer which hangs up in the Treasury Department at Washington, does not merely indicate conditions and changes of the financial atmosphere; it creates them. Its stormy vicissitudes harass the business of the whole country.

The partial cessation of productive industries and the partial want of employment which now exists, are chiefly produced by the fear of the employers that if they carry on their works, they may produce at a loss. The abstinence from purchase by all those classes of dealers, who buy and get up stocks to provide for future consumption, is chiefly caused by the fear of a further decline of prices. Under these apprehensions, the demand is much less than the ordinary consumption. The instant manufacturers or merchants are convinced that prices have reached the bottom, even for the period of an ordinary business operation, they will begin to resume their function in the economy of trade. The wheels of our complex industries will move, workmen will find employment, and, with revived confidence in the future, prosperity will be renewed in its sources. Nothing could be more unwise, more mischievous in its ultimate results, than to interrupt the healing process of nature, by expedients which will fail of affording any real relief, and will be certain to accumulate new materials for another catastrophe.

It has seemed to me fit that, on this occasion, the opinions of the great Commonwealth we represent, which is so largely interested in these questions, should be declared on the side of sound finance, public integrity and national honor; and, in making this communication the medium of an authentic expression on the subject, I

follow the example, on similar occasions, of several of the most illustrious of my predecessors.

RESULTS DURING TEN YEARS OF PEACE.

It is now almost ten years since the civil war ceased. That period ought to have sufficed to renew our productive industries, to repair the waste of our accumulated capital, and to restore to our people a sound and durable prosperity. But an indispensable condition of such results was energy, skill and economy in production, and frugality in public and private consumption.

MISUSED POWERS OF FEDERAL GOVERNMENT.

The Federal Government has all the while been the greatest single power in the country to influence results, not only by its own vast fiscal operations, its dominion over the currency and the business of banking, and the effect of its transactions on investments of capital, and on the temporary conditions of the money market, but by the ascendancy it acquired during a period of public danger over public opinion and over the conduct of individuals. It is to be deplored that this great capacity for controlling action and for leadership has not conducted us to better results.

The period has been characterized by unsound public finance, an uncertain policy in respect to the currency, a series of speculative excitements tending to unproductive enterprises and unremunerative investments of capital, and terminating in distressing reactions in credit and business; a want of efficiency and economy in production, extravagance in public and private expenditure, enormous taxation and complicated systems of revenue — which have increased the cost and wasted the fruits of that taxation and rendered capital and labor less productive — and frequent spoliation of private and public trusts.

GOVERNMENTS TOO COSTLY.

In the decade beginning July 1, 1865, the people will have paid in taxes, computed in currency, seven thousand millions of dollars. Three-fifths were for the use of the Federal Government, and two-fifths for the State and municipal governments. It is doubtless true that some portions of the municipal expenditures were for objects not strictly governmental. But it cannot be questioned that much too large a portion of the whole net earnings of industry, and of the whole net income of society, is taken for the purpose of carrying on government in this country. The burden could more easily be borne when values were high, and were ascending. As they recede toward their former level, the taxes consume a larger quantity of the products which have to be sold in order to pay them. They weigh with a constantly increasing severity upon all business and upon all classes. They shrivel up more and more the earnings of labor. This condition of things ought to admonish us, in our respective spheres, to be as abstinent as possible in appropriations for public expenditures. If the cost of government in our country

were reduced, as it ought to be, one-third, it would still be larger than a few years ago, taking account of the prices of the products, which, in order to pay that cost, we are compelled to convert into money.

TAXATION TOO BURDENSOME — THE PROSTRATION OF THE SOUTH.

The people are less able to bear such taxation by reason of the want of efficiency and economy in production, and the want of frugality in consumption, generated by the causes already indicated, and also by reason of the failure to completely renew the productive energies and activities of the States of the South, which furnish about half of the exportable commodities of the country, other than specie; which are large consumers of our manufactures and productions, and which make us their carriers, merchants and bankers in all their domestic and foreign transactions.

It has been proudly ascribed to the humanity of our age that, since the surrender at Appomatox, not one life has been sacrificed to the policy of the victorious government. It is to be wished that we were equally free from the criticisms that the retribution visited upon our former adversaries merely conforms to the higher modern estimate of property, as compared with life; that exercising a moral coercion, invigorated by a standing menace of military force, we have held those communities bound in withes, to be plundered by rulers destitute of support in their public opinion, and without title to our own respect or trust.

FINAL ACCEPTANCE OF AMENDMENTS TO FEDERAL CONSTITUTION.

Such has been our course, after and in spite of the fact that these our kindred, in a common ancestry, a common heritage and a common future, had joined at national conventions in the nomination of candidates and in the declaration of principles and purposes, which form an authentic acceptance of the results of the war, embodied in the last three amendments to the organic law of the Federal Union, and that they had by the suffrages of all their voters, at the last national election, completed the proof that now they only seek to share with us and to maintain the common rights of American local self-government, in a fraternal union, under the old flag with "one Constitution and one destiny."

There should be no misunderstanding as to this position of our Southern brethren, or of any portion of our fellow-citizens. The questions settled by the war are never to be re-opened.

The adoption of the XIVth, XVth and XVIth amendments to the Federal Constitution closed one great era in our politics. It marked the end forever of the system of human slavery, and of the struggles that grew out of that system. These amendments have been conclusively adopted, and they have been accepted in good faith by all political organizations, and the people of all sections. They close the chapter, they are and must be final; all parties hereafter must accept and stand upon them, and henceforth our politics are to turn upon questions of the present and the future, not upon those of the settled and final Past.

THE PEOPLE MUST AGAIN ATTEND TO PUBLIC AFFAIRS.

The nobler motives of humanity concur with our interests in making us hail, with heartfelt congratulations, a real and durable peace, between populations unnaturally estranged. The time is ripe to discard all memories of buried strifes, except as a warning against their renewal; to join altogether to build anew the solid foundations of American self-government. For nearly a generation, the controversies, which led to fratricidal conflict, have drawn away the attention of the people from the questions of administration, which involve every interest and duty of good government. The culture, the training and the practice of our people in the ordinary conduct of public affairs, have been falling into disuse. Meanwhile the primitive simplicity of institutions and of society, in which government was little felt, and could be neglected with comparative impunity, has been passing away. If public necessities must wring so much from the earnings of individuals, taxation must become scientific. In our new condition all the problems of administration have become more difficult. They call for more intellect and more knowledge of the experience of other countries. They need to become the engrossing theme of the public thought in the discussions of the press and in the competition of parties, which is the process of free institutions. The people must once more give their minds to questions that concern the ordinary conduct of government, if they would have our country to start afresh in a career of prosperity and renown.

SAMUEL J. TILDEN.

APPENDIX.

BANKS.

On the first day of October last, eighty-one banks were doing business under the laws of this State. During the fiscal year then ended, five banks were organized, and four were closed, one of which failed. Of the five banks created, three were organized with less than one hundred thousand dollars of capital each, under chapter 126 of the Laws of 1874.

Circulating notes to the amount of \$6,368, were destroyed by the Bank Department during the year. Sixty-seven banks were credited with lost circulation, to the amount, in all, of \$285,559 the time for redeeming the same, after the usual legal notice, having expired. The amount of circulation outstanding, including that of incorporated banks, banking associations, and individual bankers, was, on the first day of October last, \$1,105,189.50. Of this amount, the sum of \$367,438 was secured by deposits of cash, stocks, or bonds and mortgages. The residue, \$737,751.50 is not secured, it having been issued prior to the passage of the general banking law. Steps have been taken by twelve banks for the fiscal redemption of \$160,-

301 of these unsecured notes, in accordance with the provisions of chapter 585 of the laws of 1873.

SAVINGS BANKS.

One hundred and fifty-six savings banks (two of which were closing), reported to the Bank Department on the first day of July last. Their assets, in the aggregate, amounted to \$316,122,790, having increased during the year then ended \$1,367,020. The increase in assets during the first six months of 1874 was \$8,553,060. The number of persons having deposits in these institutions was, according to the number of open accounts January 1, 1874, 839,472, being an increase of 16,830, during the year.

TRUST, LOAN AND INDEMNITY COMPANIES.

On the first day of July last, twelve trust, loan and indemnity companies reported to the Bank Department, under chapter 324 of the laws of 1874. The aggregate of capital paid in, as shown by their reports, was \$11,752,040, and the amount due to their depositors was \$38,479,764.

INSURANCE DEPARTMENT.

The number of insurance companies, subject to the supervision of the Insurance Department, on the first day of December, 1874, was 282, as follows:

New York Joint Stock Fire Insurance Companies.....	102
New York Mutual Fire Insurance Companies.....	8
New York Marine Insurance Companies.....	9
New York Life Insurance Companies.....	26
New York Plate Glass Insurance Company.....	1
Fire Insurance Companies of other States.....	87
Marine Insurance Companies of other States.....	1
Life Insurance Companies of other States.....	27
Casualty Insurance Companies of other States.....	4
Canadian Fire Insurance Companies.....	3
Foreign Fire Insurance Companies.....	11
Foreign Marine Insurance Companies.....	3
Total	282

The total amount of stocks and mortgages held by the Insurance Department for the protection of policy holders of Life and Casualty Insurance Companies of this State, and of foreign insurance companies doing business within it, was \$10,404,593, as follows:

For protection of policy holders generally, in	
Life Insurance Companies of this State.....	\$3, 689, 891 00
For protection of registered policy holders exclu-	
sively.....	3, 250, 842 00

For protection of casualty policy holders exclusively.....	1, 000 00
For the protection of plate glass policy holders exclusively	50, 000 00
For protection of fire policy holders in Insurance Companies of other States	40, 000 00
For protection of fire policy holders in Insurance Companies of Canada	600, 120 00
For protection of fire policy holders in foreign Insurance Companies	2, 473, 100 00
For protection of life policy holders in foreign Insurance Companies	300, 000 00
Total deposit.....	<u>\$10, 404, 953 00</u>

QUARANTINE.

During the past year, fifty-seven vessels arrived at the port of New York, in which, during the passage, or while in port, sickness had occurred, rendering them subject to quarantine detention, Eight vessels had eleven cases of small-pox on board, from which 3,228 persons had been exposed to the disease; one hundred and twenty-one cases of yellow fever occurred on forty-four vessels bound for New York, and twelve patients with this disease reached the port, and were cared for at the Dix Island Hospital, of whom two died; and five cases of ship fever were removed by the health officer to the hospital. No cases of cholera occurred in the port, but several vessels arrived from ports infected with this disease, on three of which coming from India, deaths from cholera occurred during the passage. No new disease called for any action by the health officer.

During the year, an epidemic of malignant yellow fever raged in Havana with unprecedented violence, and prevailed in Rio Janeiro and in twelve other South American and West Indian ports, and also in Pensacola and some other Southern ports of the United States, having extensive and direct communication with New York. In Havana, the deaths from yellow fever reached the enormous extent of eighty per cent of the persons attacked, and, in some cases, vessels lying in that harbor during the summer lost all their crews except one or two. It is worthy of notice, that while in previous years nearly nine-tenths of all cases of yellow fever came from the port of Havana, so small a number reached here during the present year. This result, in the opinion of the health officer, is largely due to the sanitary precautions taken by the officers of the vessels, most of whom, being connected with regular lines, are becoming familiar with the quarantine regulations of the port, and with the rigid, though reasonable, restrictions to which vessels having infectious diseases on board are subjected.

During the quarantine season, 1,135 vessels arrived at quarantine from suspected ports; of these, 236 were from ports known to be

infected, and were detained; and 68 were required to discharge their cargoes on lighters in the stream before going to the city.

EMIGRATION.

The following table shows the statistics of emigration for the last fifteen years :

Years.	Commutation fee.	Aliens arrived.	Number of emigrants cared for on Ward's Island.	Total cash receipts.	Total cash disbursements.	Amount paid for real estate and buildings, included in total cash disbursements.	Amount paid to counties and institutions of the State, included in total cash disbursements.
1860...	\$2 00-100	105,162	4,729	\$289,467 92	\$217,717 53	.....	\$58,869 08
1861...	do	65,539	5,079	175,494 56	178,401 77	.....	19,855 98
1862...	do	76,906	3,247	174,454 29	138,524 56	.....	16,016 06
1863...	do	156,544	4,911	341,027 00	168,155 71	.....	15,702 22
1864...	do	182,916	7,363	420,366 17	373,763 39	\$132,450 00	19,349 71
1865...	do	196,352	7,425	471,034 85	447,560 20	199,559 67	14,320 74
1866...	do	233,416	10,306	532,048 20	538,933 21	193,937 06	52,940 24
1867...	2 50-100	242,731	13,237	583,154 40	538,377 23	133,095 17	33,945 87
1868...	do	215,086	14,250	577,949 36	602,958 12	125,789 74	+101,737 20
1869...	do	255,989	13,911	695,499 59	606,159 58	96,852 13	48,846 66
1870...	do	212,170	16,001	596,119 26	605,544 24	54,784 98	51,681 15
1871...	1 50-100	229,639	14,369	421,967 40	605,904 17	96,419 47	39,829 58
1872...	do	294,551	15,818	467,011 70	598,793 78	129,735 07	51,556 81
1873...	do	290,816	12,942	415,063 28	466,108 22	61,183 43	32,678 24
1874*...	do	135,323	6,300	214,631 84	220,036 14	22,129 45	.....
Totals	.....	2,870,464	150,488	\$6,334,619 32	\$6,445,206 84	\$1,246,551 20	\$567,419 49

* For eleven months.

† This sum included back claims.

PRESENT FINANCIAL CONDITION OF THE COMMISSION.

The indebtedness of the Board is as follows:

Due the Equitable Life Assurance Society, amount borrowed on bond and mortgage of the lands at Ward's Island.....	\$100,000 00
Due the counties and charitable institutions of the State, for the care and support of emigrants during the past one and one-half years	75,000 00
Due for current expenses at Castle Garden.....	16,000 00
Estimated expenses of the Castle Garden and Ward's Island establishments for the month of December (including \$10,000 due for coal).....	\$30,000 00
Less cash on hand and estimated receipts	20,000 00
	<u>\$10,000 00</u>
Total estimated indebtedness December 31, 1874..	<u>\$201,000 00</u>

The number of emigrants at present cared for at Castle Garden and Ward's Island is 1,041, and in the counties about 900. During the months of January and February, the number to be cared for

at Ward's Island will increase to about 2,000, and in the counties to more than 1,200. On the first of January next the commissioners will practically be without funds to care for these persons. The expenses of the Ward's Island and Castle Garden institutions will, during the months of January and February, be about \$25,000 per month, while the receipts will not exceed \$5,000 per month.

COMMON SCHOOLS.

The statistics of the common schools for the year ending September, 30, 1874, are as follows :

Total receipts, including balance on hand September 30, 1873.....	\$11, 944, 023 38
Total expenditures.....	10, 779, 779 61
Amount paid for teachers' wages.....	7, 559, 090 59
Amount paid for school-houses, repairs, furniture, etc.....	\$1, 721, 282.64
Estimated value of school-houses and sites.....	28, 714, 738 00

Total number of school-houses.....	11, 775
Number of school districts, exclusive of cities.....	11, 299
Number of teachers employed at the same time for the full legal term of school.....	18, 554
Number of teachers employed during any portion of the year.....	29, 683
Number of children attending public schools.....	1, 039, 097
Number of persons attending normal schools.....	6, 568
Number of children of school age in private schools..	138, 610
Number of volumes in school district libraries.....	835, 882
Number of persons in the State between 5 and 21 years of age.....	1, 501, 874

COLLEGES AND ACADEMIES.

The condition of the colleges and academies, subject to the visitation of the Regents of the University, is very satisfactory.

There are within the State, 22 literary colleges, 10 medical colleges, and 240 academies and academical departments of union schools. With several of the colleges included in this enumeration, are connected special schools of law, of medicine, and of other branches of science. By the wise liberality of individual citizens, the endowments and appliances of several of these institutions have, during the last year, been largely increased, and their means of usefulness greatly extended. The number of scholars in attendance upon the academies has increased, and the standard of scholarship has, upon the whole, considerably advanced. These institutions, while they prepare students for admission to the colleges, are also designed to fit another class for immediate entrance upon the practical duties of life, and, thus complementing the work of the common schools, form an important part of the educational institutions of the State.

STATE LIBRARY AND MUSEUM.

The State Library, in both its departments, has been enlarged by the application of all the means at the disposal of the Trustees. In the extent and value of its contents, it is a source of just pride to the people of the State. The law library numbers about 26,000 volumes, and the general library about 68,000, including many rare and valuable works.

The State Museum of Natural History, under the management of its able curator, Prof. Hall, is reported to be in excellent condition, and exhibits the productions of the State, in a manner to afford to the student of natural science most valuable aid in his studies.

THE NATIONAL GUARD.

The National Guard consists of eight divisions, containing nineteen brigades, composed of one regiment and nine separate troops of cavalry, one battalion and ten batteries of artillery, thirty regiments and thirteen battalions of infantry. Total officers, non-commissioned officers, musicians and privates (three brigades estimated), twenty thousand five hundred and thirty-two (20,532).

SOLDIERS OF WAR OF 1812.

The last Legislature made an additional appropriation of one hundred thousand dollars (\$100,000), for redeeming certain certificates issued to soldiers of the war of 1812.

The former appropriation paid on the certificates allowed \$91.52 $\frac{1}{11}$ on \$100 of principal.

The appropriation of 1874 paid the balance due on the principal, and \$46.72 on \$100 of interest.

WAR CLAIMS AGAINST THE UNITED STATES.

On the 1st day of January, 1874, the unsettled balance in favor of the State was \$1,209,286.11. Since that time another installment of over \$34,000 has been presented to the Treasury Department. In the unsettled balance above stated is included a claim for \$131,188.02, interest on Comptroller's bonds, which cannot be paid without legislative action.

SALT SPRINGS.

The quantity of salt from the Onondaga Salt Springs, inspected during the last fiscal year, was 6,594,191 bushels, less by 1,364,981 bushels than the production of the preceding year. The net revenue from this source was \$10,341.67, showing a falling off, as compared with the preceding year, of \$11,424.08.

STATE PRISONS.

The following statement shows the expenditures and earnings of each of the prisons, for the year ending September 30, 1874:

	Advances from the Treasury.	Received from Earnings.	Excess of Ex- penditures.
Auburn	\$233,165 90	\$101,910 40	\$131,256 50
Clinton	337,678 12	153,473 60	184,204 52
Sing Sing	360,054 58	124,009 43	236,045 15
Miscellaneous* .....	.....	.....	37,031 25
	<u>\$930,899 60</u>	<u>\$379,393 43</u>	<u>\$588,537 42</u>

In 1867, the excess of advances from the Treasury over receipts from earnings, was	\$366,874 79
In 1868, it was	512,547 74
In 1869, it was	595,774 45
In 1870, it was	461,304 99
In 1871, it was	470,309 23
In 1872, it was	465,881 84
In 1873, it was	597,289 06
In 1874, it was	<u>588,537 42</u>

The number of convicts in each of the prisons, September 30, 1874, was as follows:

Auburn	1,202
Clinton	552
Sing Sing	1,306
	<u>3,060</u>
Total, September 30, 1873	<u>3,025</u>

Ordered, That said message be laid upon the table and printed.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That when this Legislature adjourns on Wednesday, January 6th, it be to meet on Tuesday, January 12th, at eleven o'clock, A. M."

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Fox, the Senate adjourned.

* Miscellaneous expenditures, not distributed, including \$26,231.25 for transportation of convicts.

WEDNESDAY, JANUARY 6, 1875.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Kellogg presented a petition of citizens of Madison county for a reduction of tolls on the canals; which was read and referred to the committee on canals.

Mr. Dickinson presented a petition of St. Regis Indians to have their rights restored; which was read and referred to the committee on Indian affairs.

Mr. Selkreg presented a petition of members of the bar of Broome county in relation to the supreme court library, at Binghamton; which was read and referred to the committee on the judiciary.

The President announced the following appointment:

President's Clerk — J. Stanley Brown.

The President presented a statement of the pardons, commutations, and reprieves granted by the Governor during the year 1874; which was laid upon the table and ordered printed.

(*See Doc. No. 9.*)

Also, the report of the Commissioners to revise the statutes; which was laid upon the table and ordered printed.

(*See Doc. No. 8.*)

Also, the Annual Report of the New Capitol Commissioners; which was laid upon the table and ordered printed.

(*See Doc. No. 6.*)

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to authorize the surrogate of Steuben county to grant to Benjamin F. Young, of Bath, in that county, letters of administration with the will annexed of the goods, chattels, and credits of Richard T. Pulteney, deceased, upon filing with such surrogate a bond in the penal sum of one hundred thousand dollars," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Thompson asked and obtained leave to introduce a bill entitled "An act to repeal 'An act to subject the real and personal property of the New York and Oswego Midland railroad to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' passed April 29, 1874, and to suspend the collection of taxes assessed under the same," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Lowery asked and obtained leave to introduce a bill entitled "An act to further enlarge the powers of boards of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. D. P. Wood offered the following :

Resolved, That the following persons be and are hereby designated to serve as pages of the Senate for the present session, or during good behavior: James O'Neil, James T. Gaffany, William Goodwin, David Connolly, Irving T. Porter, George T. Connor, John Donahue, George Gunther.

Mr. Johnson moved to amend said resolution by striking out all after the word "*Resolved*," and inserting the following: "That the persons to serve as pages during the present session shall be designated by the President of the Senate."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Ledwith	Parmenter	
Dayton	Laning	Moore	Ray	
Fox				9

FOR THE NEGATIVE.

Booth	Kellogg	Middleton	Wagner	
Cole	King	Robertson	Wellman	
Connelly	Lowery	Selkreg	Wood	
Dickinson	Madden	Thompson	Woodin	
Dow	McGowan	Tobey		19

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Kellogg	Middleton	Wagner	
Cole	King	Robertson	Wellman	
Connelly	Lowery	Selkreg	Wood	
Dickinson	Madden	Thompson	Woodin	
Dow	McGowan	Tobey		19

FOR THE NEGATIVE.

Bradley	Johnson	Ledwith	Parmenter	
Dayton	Laning	Moore	Ray	
Fox				9

Mr. Lowery moved to take from the table the resolution in the words following :

"Resolved, That Rev. Dr. Ebenezer Halley be elected Chaplain of the Senate for the ensuing session of the Legislature, and that his compensation be the same as that of last year."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Woodin gave notice that he would, on Tuesday next, move to amend Rule 48 of the Senate as follows:

"**RULE 48.** The Senate shall go into consideration of executive business on the first and third Wednesdays of every month that it is in session, at twelve o'clock, at noon, thereof. Any nomination sent by the Governor for the appointment of any officer (except a notary public), shall be referred to that standing committee of the Senate to which the duties of such officer appertain; and no nomination shall be further considered by the Senate, until after the report thereon of a majority of the standing committee to which it was referred; and the consent of the Senate to the appointment of any officer nominated by the Governor, given on any day of the transaction of executive business, shall not be transmitted to the Governor until the next day thereafter for the transaction of such business.

"Nominations of persons for the office of notary public shall be referred to the Senator from the district in which the nominee resides, except that when the nominee resides in the city and county of New York, the reference shall be to the Senators from that city and county; and when the nominee resides in the county of Kings, the reference shall be to the Senators from that county."

Mr. Woodin offered the following:

Resolved, That the standing committees of the Senate, as constituted and appointed for the session of 1874, be and remain the standing committees of the Senate for the session of 1875, except that the vacancies on the various committees occasioned by the death of Hon. John Ganson, which shall be filled as now required by the rules of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Gross offered the following:

Resolved (if the Assembly concur), That 2,500 copies of the Governor's Message in paper covers, and 250 copies thereof, bound in cloth, be printed for the use of the Executive Department.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Gross, the Senate adjourned.

TUESDAY, JANUARY 12, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Wednesday, January 6, was read and approved.

Mr. Ray presented two petitions of the board of town auditors of the town of Gallatin, in the county of Columbia, in favor of retiring \$25,000 of town bonds; which were read and referred to the committee on internal affairs.

Mr. Cole presented the Sixth Annual Report of the New York State Institution of the Blind; which was laid upon the table and ordered printed.

(See Doc. No. 12.)

Mr. McGowan gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the Farmers' Building Fire Insurance Company.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to confirm and legalize the proceedings of a special town meeting, held in and for the town of Gallatin, in the county of Columbia, and State of New York, on the 5th day of November, 1874, and to authorize and empower the board of town auditors of said town of Gallatin, in pursuance of the vote and decision of said special town meeting, to issue bonds of said town in lieu of bonds issued by commissioners appointed for said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and accrued interest and expenses to the amount of twenty-seven thousand dollars, and to transfer and deliver to one Thomas Cornell all shares of stock of said railroad company, four hundred and fifty shares, issued and delivered to said town, upon receiving from said Cornell, in consideration of said four hundred and fifty shares of said stock, said bonds of said town to the amount of twenty thousand dollars and accrued interest," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Dow asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes, and other low or wet lands, and for draining farm lands,' passed May 12, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lord offered the following:

Whereas, The Constitution of the United States provides that the United States shall guaranty to every State in the Union a republican form of government, and shall protect each of them from domestic violence on application of the Legislature, or of the executive when the Legislature cannot be convened; and,

Whereas, It is the inherent and constitutional right of every legislative body in the United States, and in every State, including Louisiana, to judge of the election and qualifications of its own members; and,

Whereas, Without application from the Legislature of Louisiana, which had convened, and without the existence of domestic violence to justify application from the executive if the Legislature had not convened, the soldiery of the United States surrounded the capitol of that State on the 4th of January instant, invaded one of the Houses of the Legislature, expelled, at the point of the bayonet, a number of its members who had been formally admitted to their seats, and dispersed the legislative body; therefore,

Resolved (if the Assembly concur), That such invasion of the Legislature and overthrow of the legislative power of a State is a gross and wanton act of usurpation, in violation of the constitutional guaranties, tending to provoke domestic violence, and destructive of the form and substance of representative government and constitutional liberty; that it merits the unqualified condemnation of this Legislature, and that all in any way responsible for it deserve to suffer the extreme penalty of any law that may be applicable to their crimes, and the execration of every friend of free government.

Mr. Woodin moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Madden	Wagner	
Cole	Kellogg	McGowan	Wood	
Connelly	King	Robertson	Woodin	
Dickinson	Lowery	Selkreg		15

FOR THE NEGATIVE.

Bradley	Gross	Laning	Moore	
Dayton	Jacobs	Ledwith	Parmenter	
Fox	Johnson	Lord	Ray	12

A message from His Excellency the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, January 12, 1875.

To the Legislature:

On your re-assembling I deem it to be my duty to invite your attention to the grave events which have happened in our sister state of Louisiana. The interval of your adjournment has afforded you an opportunity to receive the statements of the parties concerned in those occurrences, particularly that of Lieutenant-General Sheridan, in his official report to the secretary of war, dated January 8, 1875. You are now enabled to know with certainty all the facts necessary to form a just and deliberate judgment as to the nature of the principal acts which have created so much public excitement.

According to the official report of Lieutenant-General Sheridan, the United States soldiers entered the house of representatives of the state of Louisiana, while that body was in session, and removed from it five of its members.

The pretexts for this act are:

First—That it was done under directions from the governor of the state, recognized by the president.

Second—That the persons removed “had been illegally seated,” and “had no legal right to be there.”

Third—That a fear existed in the mind of Lieutenant-General Sheridan that, in some undefined contingency, violence might happen.

With respect to the *first* and *second* of these pretexts, it is a decisive answer—that the Louisiana house of representatives had, by the constitution of that state, the exclusive judgment as to the right of these members to seats; that its judgment is subject to no review by any judicial authority, still less a review by the governor or by any officer of the United States army; that its judgment in favor of these members thus forcibly removed is binding in law and conclusive upon the governor and Lieutenant-General Sheridan, and upon every other person.

In respect to the *third* pretext, the fear in the mind of Lieutenant-General Sheridan of possible future violence, where no violence really existed, is not only no lawful occasion but not even an excuse for an invasion of the right of the house of representatives of Louisiana to judge for itself of the title to seats of its own members.

Interference by United States soldiers was not only unlawful, but it was without the color of legality. It was an act of naked physical force in violation of the laws and constitution of Louisiana and of the laws and constitution of the United States.

There is a case of a disputed seat in the senate of this state now pending. Another was determined at the last session. The transaction in Louisiana is as if, at the instance of the governor of this state, General Hancock, commanding in this department, or an officer specially deputed by the president should send a file of federal soldiers and remove the incumbent to whom the seat had been adjudged by the senate. That disorders have formerly existed in Louisiana makes no difference. For the laws—to which the president and congress are parties—recognize the complete restoration of her autonomy. The right of her legislative bodies to determine the title of their members is as perfect and absolute as the right of the assembly or the senate of New York.

The animus of the transaction, as indicated by the correspondence between Lieutenant-General Sheridan and the secretary of war, is infinitely worse than the transaction itself. On the day after the event, Lieutenant-General Sheridan sent a dispatch proposing that a class of citizens, indefinite in number and description, should be declared, either by act of congress or by proclamation of the president, to be banditti; and then intimates his purpose to try them and execute them by military commission. On the next day, General Belknap, the secretary of war, telegraphed to General Sheridan that "The president and all of us have full confidence in and thoroughly approve your course."

The nature of the acts thus proposed by the officer second in command of the army of the United States, and thus adopted and sanctioned by the president and his constitutional advisers is plainly declared by the common law.

In the recent case of the *Queen v. Nelson and Brand*, the present lord chief justice of England, in delivering the charge to the grand jury, declared that "supposing that there is no jurisdiction at all, that the whole proceeding is *coram non judice*, that the judicial functions are exercised by persons who have no judicial authority or power, and a man's life is taken, that is murder: for murder is putting a man to death without a justification, or without any of those mitigating circumstances which reduce the crime of murder to one of a lower degree. Thus, in the case put by Lord Coke of a lieutenant having a commission of martial law, who puts a man to death by martial law in times of peace, that, says Lord Coke, is murder."

Such are the established doctrines of the jurists and courts of this country and of England. Such is the voice of common law—glorious jurisprudence of freedom! birthright of every American citizen! Its stern logic declares that such an execution of any human being, as was proposed and sanctioned in this correspondence, would be murder by our laws; and that every functionary—civil or military—who should instigate it, aid or abet it, or become, in any manner, a party to it before the fact, would be guilty, as a principal, in that crime.

The patriot-statesmen who achieved our national independence, and formed our institutions of free government, foreboded if we should

ever fall in intestine strife, that the ideas it would inspire in military minds—of insubordination to the laws and of uncivic ambition—and the habit it would generate in the people—of acquiescence in acts of unlawful military violence—would imperil, if not destroy, civil liberty. Events compelled us to a manly choice of confronting these dangers in a struggle to save our country from dismemberment, and to vindicate the just rights of the federal union. Having triumphed in that struggle now forever closed, we are made sensible of the wise foresight of the founders of our freedom in their warning of the opposite dangers which would attend our success. Those dangers come to us, in acts of illegal military violence, committed in times of peace—in the usurpation by the soldiery of a power to decide the membership of our legislative assemblies, whose right to judge exclusively in such cases, has ever been guarded with peculiar jealousy by our race—in the proposal, made and accepted by our highest civil and military functionaries—to subject our citizens to tribunals in which a military officer will decide without appeal what persons, happening to be found in the locality, shall be sent to them for trial—will appoint the members of the court—will review and confirm or change the judgment and the sentence—and may order instant execution; and in which the accused will be tried in secret and without counsel for his defense. This proposition is thus made, and thus sanctioned—notwithstanding that, for similar acts, our English ancestors sent the first Charles to the scaffold and expelled the second James from the throne; and our own forefathers—exiled by kindred tyrannies and planting freedom in the wilderness—were careful to insert in our constitution, positive prohibitions against the application to any but military persons of such tribunals.

Unless such proposition, so made and so sanctioned, shall be condemned by a public reprobation which will make it memorable as a warning to all future officers of the state and the army—the decay of the jealous spirit of freedom—the loss of our ancestral traditions of liberty acquired through ages of conflict and sacrifice; the education of the present generation to servile acquiescence in the maxims and the practices of tyranny, will have realized the fears of Washington, and Jay and Clinton and their compatriots.

New York, first of the commonwealths of the American union, in population, in resources, and in military power, should declare her sentiments on this occasion, with a distinctness, a dignity and a solemn emphasis, which will command the thoughtful attention of congress, of her sister states and of the people of our whole country. With the same unanimity with which she upheld the arms of the union in the past conflict, she now addresses herself to the great and most sacred duty of re-establishing civil liberty and the personal rights of individuals—of restoring the ideas and habits of freedom, and of re-asserting the supremacy of the civil authority over the military power throughout the republic.

SAMUEL J. TILDEN.

Mr. Jacobs moved that the message be referred to a special committee of three, and that they report thereon to-morrow morning.

Mr. Woodin moved that the message be laid upon the table.

The President put the question whether the Senate would agree to said motion of Mr. Woodin, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Madden	Wagner
Cole	Kellogg	McGowan	Wood
Connelly	King	Robertson	Woodin
Dickinson	Lowery	Selkreg	15

FOR THE NEGATIVE.

Bradley	Gross	Laning	Moore
Dayton	Jacobs	Ledwith	Parmenter
Fox	Johnson	Lord	Ray
			12

A message was received from the Governor transmitting a communication from the War Department relative to ceding to the United States certain property at Willet's Point.

Mr. Wood moved that the same be referred to the committee on commerce and navigation, and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. 10.)

Mr. Dayton offered the following :

Resolved, That 1,000 copies of the report of the New Capitol Commissioners be printed for the use of the Commissioners.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Governor's Message, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That 2,500 copies of the Governor's Message in paper covers, and 250 copies thereof bound in cloth, be printed for the use of the Executive Department.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Dickinson offered the following :

Resolved (if the Assembly concur), That 5,000 copies of the Comptroller's report be printed; 3,500 copies for the Legislature, and 1,500 copies for the use of the Comptroller.

Ordered, That said resolution be referred to the committee on public printing.

The Clerk designated the following persons as reporters for the public press for the session of 1875 :

John H. Farrell, Associated Press; C. H. Sewall, American Press Association; Wm. H. McElroy, Albany Evening Journal; Charles J. Hailes, Albany Argus; Wm. H. Bogart, New York World; George W. Bull, Buffalo Commercial Advertiser; Addison A. Keyes, Albany Express; E. A. Bradford, New York Times; Nathan Comstock, New York Mail; A. M. Solteldo, Jr., New York Telegram; W. E. Kisselburgh, Troy Times; George H. Levy, Troy Press; Carroll E. Smith, Syracuse Journal; A. N. Cole, Elmira Advertiser; Henry L. Lamb, Watertown Times; S. C. Tabor, Elmira Gazette; M. W. Van Auken, Auburn Daily Advertiser; John Clark, Brooklyn Argus; George Manson, Brooklyn Union; E. J. Loomis, Chenango Telegraph; James B. Swain, Editorial Bureau; O. C. Bentley, Owego Times.

Mr. Laning offered the following :

Resolved, That the message of the Governor upon the subject of affairs in the State of Louisiana be taken from the table and made a special order for the consideration of the Senate on Thursday next immediately after the reading of the journal.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Moore	
Dayton	Jacobs	Ledwith	Parmenter	
Fox	Johnson	Lord	Ray	12

FOR THE NEGATIVE.

Booth	Dow	Madden	Wagner	
Cole	Kellogg	McGowan	Wood	
Connelly	King	Robertson	Woodin	
Dickinson	Lowery	Selkreg		15

Mr. Johnson moved to take from the table the message of the Governor, and that the consideration of the same be made a special order for Wednesday next immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Moore	
Dayton	Jacobs	Ledwith	Parmenter	
Fox	Johnson	Lord	Ray	13

FOR THE NEGATIVE.

Booth	Dow	Madden	Wagner	
Cole	Kellogg	McGowan	Wood	
Connelly	King	Robertson	Woodin	
Dickinson	Lowery	Selkreg		15

On motion of Mr. Madden, the Senate adjourned.

WEDNESDAY, JANUARY 13, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. King presented a petition from the Chamber of Commerce of the State of New York in relation to the amendments to the act establishing a court of arbitration ; which was read and referred to the committee on the judiciary.

The President presented the Annual Report of the Treasurer of the State of New York ; which was laid upon the table and ordered printed.
(See Doc. No. 5.)

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof and for appeals therefrom," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Farm Buildings Fire Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act for the incorporation of villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, M. Laning asked and obtained leave to introduce a bill entitled "An act to legalize certain proceedings of the common council of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to convey to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act relating to the supreme court library at Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to authorize the Utica, Ithaca and Elmira Railroad Company to extend their road, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Wood gave notice that he would, at an early day, ask leave to introduce a bill to provide for the organization of savings banks, for their supervision, and for the administration of their affairs.

By unanimous consent, Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to confirm and legalize the proceedings of a special town meeting, held in and for the

town of Gallatin, in the county of Columbia, and State of New York, on the 5th day of November, 1874, and to authorize and empower the board of town auditors of said town of Gallatin, in pursuance of the vote and decision of said special town meeting, to issue bonds of said town in lieu of bonds issued by commissioners appointed for said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and accrued interest and expenses to the amount of twenty-seven thousand dollars, and to transfer and deliver to one Thomas Cornell all shares of stock of said railroad company (four hundred and fifty shares), issued and delivered to said town, upon receiving from said Cornell, in consideration of said four hundred and fifty shares of said stock, said bonds of said town to the amount of twenty thousand dollars and accrued interest," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Cole offered the following:

Resolved, That 500 copies of the report of the Trustees of the New York State Institution for the Blind be printed for the use of the trustees of said institution.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Wood offered the following:

Whereas, It appears from the official report of the Commissioners to revise the statutes, transmitted to the Legislature at this present session, that the said Commissioners have been unable to accomplish as much work upon the revision as they expected, and as they stated in their report of last year that they would be able to accomplish; and,

Whereas, The said report of this year also states that they are deficient in the effective force necessary to enable them to discharge their duties in a manner satisfactory to themselves, and in accordance with the just expectations of the public; therefore,

Resolved, That the committee on the judiciary inquire whether any, and if any, what action is required for the purpose of facilitating and expediting the revision of the statutes, and that they have power to report by bill or otherwise.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Jacobs moved to take from the table the motion to refer to a special committee of three the message of the Governor upon affairs in the State of Louisiana.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Moore	
Fox	Jacobs	Ledwith	Ray	8

FOR THE NEGATIVE.

Booth	Dow	McGowan	Wagner	
Cole	Kellogg	Robertson	Wood	
Connelly	King	Selkreg	Woodin	
Dickinson	Lowrey	Thompson		15

Mr. Jacobs moved to take from the table the message of the Governor relative to affairs in the State of Louisiana.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Ray	
Fox	Jacobs	Ledwith		7

FOR THE NEGATIVE.

Booth	Dow	McGowan	Wagner	
Cole	Kellogg	Robertson	Wood	
Connelly	King	Selkreg	Woodin	
Dickinson	Lowery	Thompson		15

Mr. Laning moved to take from the table the said message, and that the same be made the special order for to-morrow immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Moore	
Dayton	Jacobs	Ledwith	Ray	
Fox	Johnson			10

FOR THE NEGATIVE.

Booth	Dow	McGowan	Wagner	
Cole	Kellogg	Robertson	Wood	
Connelly	King	Selkreg	Woodin	
Dickinson	Lowery	Thompson		15

Mr. Bradley moved that the said message be taken from the table, and made the special order for Wednesday next immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Moore	
Dayton	Jacobs	Ledwith	Ray	
Fox	Johnson			10

FOR THE NEGATIVE.

Booth	Dow	McGowan	Wagner	
Cole	Kellogg	Robertson	Wood	
Connelly	King	Selkreg	Woodin	
Dickinson	Lowery	Thompson		15

Mr. Johnson offered the following :

Resolved, That we, the representatives of the people of the State of New York in Senate assembled, hereby condemn and denounce the spirit and sentiments of the telegraphic dispatch of General Sheridan, dated at New Orleans, La., January 5, 1875, to the Secretary of War, which suggests that Congress should pass a law declaring a large class of the people of Louisiana "banditti," in order that "they could be tried by a military commission;" and which also suggests "it is possible that if the President would issue a proclamation declaring these same citizens banditti, no further action need be taken except that which would devolve

upon himself;" that we regard the recommendations contained in this dispatch of General Sheridan as despotic in their nature, unprecedented in the history of our country, and tending to the destruction of representative government and constitutional liberty.

Mr. King moved that the resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

King	Robertson	Selkreg	Thompson	4
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FOR THE NEGATIVE.

Booth	Dickinson	Johnson	McGowan	
Bradley	Dow	Kellogg	Moore	
Cole	Fox	Laning	Ray	
Connelly	Gross	Ledwith	Wagner	
Dayton	Jacobs	Lowery	Woodin	20

Mr. Wood moved to amend the resolution as follows:

After the word "assembled," insert the words "while affirming our unshaken confidence in the patriotism, fidelity, and integrity of Lieutenant-General Philip H. Sheridan, we nevertheless."

Strike out the words "as despotic in their nature," and insert, after the words "history of our country," the words "unwarranted by the present situation of affairs in Louisiana, so far as this body is, at this time, advised."

Pending which,

The hour of twelve o'clock having arrived, the Senate went into executive session; and, after some time spent therein, the doors were opened and legislative business resumed.

The President announced the question pending to be upon the amendment of Mr. Wood.

Mr. Woodin moved that the question be taken upon the first part of the amendment of Mr. Wood, which reads as follows:

"After the word 'assembled,' insert the words 'while affirming our unshaken confidence in the patriotism, fidelity, and integrity of Lieutenant-General Philip H. Sheridan, we nevertheless.'"

Pending which,

Mr. Woodin moved that the further consideration of the subject be made a special order for to-morrow morning immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Woodin offered the following:

Resolved (if the Assembly concur), That a joint committee (consisting of three Senators to be appointed by the President of the Senate, and five members of the Assembly to be appointed by the Speaker of the Assembly), be appointed, to whom shall be referred the subject-matter of general legislation rendered necessary by the recent amendments to the Constitution.

Ordered, That said resolution be laid upon the table.

The President announced the following appointment:

President's Messenger — William S. Pratt.

On motion of Mr. Jacobs, the Senate adjourned.

THURSDAY, JANUARY 14, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The Senate proceeded to the consideration of the special order, being the resolution offered yesterday by Mr. Johnson relative to the telegraphic dispatch of Lieutenant-General Sheridan.

The President announced the pending question to be upon the motion of Mr. Woodin that the question be taken upon that portion of the amendment of Mr. Wood, which reads as follows :

"After the word 'assembled,' insert the words 'while affirming our unshaken confidence in the patriotism, fidelity, and integrity of Lieutenant-General Philip H. Sheridan, we nevertheless,'"

Pending which,

Mr. Jacobs moved to amend that portion of the amendment of Mr. Wood under consideration by substituting the following :

After the word "assembled," insert the words "while expressing our highest admiration for the illustrious services heretofore rendered the country by General Philip H. Sheridan."

The President put the question whether the Senate would agree to said motion of Mr. Jacobs, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Johnson	Parmenter
Coe	Gross	Ledwith	Ray
Dayton	Jacobs	Lord	11

FOR THE NEGATIVE.

Booth	Dow	McGowan	Thompson
Cole	Kellogg	Middleton	Wellman
Connelly	King	Robertson	Wood
Dickinson	Lowery	Selkreg	Woodin 16

The President then put the question whether the Senate would agree to the first part of said amendment as offered by Mr. Wood, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	McGowan	Thompson
Cole	Kellogg	Middleton	Wellman
Connelly	King	Robertson	Wood
Dickinson	Lowery	Selkreg	Woodin 16

FOR THE NEGATIVE.

Bradley	Fox	Johnson	Parmenter
Coe	Gross	Ledwith	Ray
Dayton	Jacobs	Lord	11

The President then put the question whether the Senate would agree to the second portion of said amendment, as offered by Mr. Wood, in the words following:

"Strike out the words 'as despotic in their nature,' and insert, after the words 'history of our country,' the words 'unwarranted by the present situation of affairs in Louisiana, so far as this body is, at this time, advised.'"

A division of the question being called for,

The President put the question whether the Senate would agree to that portion of said amendment striking out the words "as despotic in their nature," and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	McGowan	Thompson	
Cole	Dow	Robertson	Wellman	
Connelly	King	Selkreg	Wood	12

FOR THE NEGATIVE.

Bradley	Gross	Ledwith	Parmenter	
Coe	Jacobs	Lord	Ray	
Dayton	Johnson	Lowery	Woodin	
Fox	Kellogg	Middleton		15

The President then put the question whether the Senate would agree to the second part of said amendment of Mr. Wood, as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	McGowan	Thompson	
Cole	Kellogg	Middleton	Wellman	
Connelly	King	Robertson	Wood	
Dickinson	Lowery	Selkreg	Woodin	16

FOR THE NEGATIVE.

Bradley	Fox	Johnson	Parmenter	
Coe	Gross	Ledwith	Ray	
Dayton	Jacobs	Lord		12

Mr. Wood moved to further amend said resolution by striking out the words "and denounce the spirit and," and insert the word "the" after the word "condemn."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	McGowan	Thompson	
Cole	Kellogg	Middleton	Wellman	
Connelly	King	Robertson	Wood	
Dickinson	Lowery	Selkreg	Woodin	16

FOR THE NEGATIVE.

Bradley	Gross	Ledwith	Parmenter	
Coe	Jacobs	Lord	Ray	
Fox	Johnson			10

Mr. Johnson moved that said resolution, as amended, be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Johnson	Kellogg	Thompson	3
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FOR THE NEGATIVE.

Booth	Gross	McGowan	Selkreg
Cole	Jacobs	Middleton	Wellman
Connelly	King	Ray	Wood
Dickinson	Ledwith	Robertson	Woodin
Dow	Lowery		18

Mr. King moved to amend said resolution by striking out the words "and unprecedented in the history of our country."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Booth	McGowan	Robertson	Thompson
Dickinson	Middleton	Selkreg	Wellman
King			9

FOR THE NEGATIVE.

Bradley	Fox	Kellogg	Parmenter
Cole	Gross	Ledwith	Ray
Connelly	Jacobs	Lowery	Woodin
Dow	Johnson		14

Mr. Bradley moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Ray
Coe	Gross		6

FOR THE NEGATIVE.

Booth	Dow	McGowan	Thompson
Cole	Kellogg	Middleton	Wellman
Connelly	King	Robertson	Wood
Dickinson	Lowery	Selkreg	Woodin
			18

Mr. Bradley moved that said resolution be laid upon the table until to-morrow morning.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Parmenter	Ray
Gross	Johnson		6

FOR THE NEGATIVE:

Booth	Dow	McGowan	Thompson	
Cole	Kellogg	Middleton	Wellman	
Connelly	King	Robertson	Wood	
Dickinson	Lowery	Selkreg	Woodin	16

Mr. Woodin moved that the further consideration of the subject be postponed until to-morrow morning immediately after the reading of the journal, at which time a vote shall be taken without debate, delay or amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to regulate the sale of spirituous and fermented liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, and ordered printed.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to improve and regulate the use of the Fourth avenue in the city of New York,' passed May 14, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Dickinson moved that the bill entitled "An act for the incorporation of villages," be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Kellogg asked and obtained leave to introduce a bill entitled "An act to amend title 7 of chapter 1 of part 4 of the Revised Statutes relative to punishments for attempting to commit offenses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Wellman asked and obtained leave to introduce a bill entitled "An act to enable Genesee College to contract with Genesee Wesleyan Seminary to fulfill the obligations of said college, and to enable said college to transfer its property to said seminary for said purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Wellman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Genesee Wesleyan Seminary,' passed May 1, 1834," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

On motion of Mr. Dow, the Senate adjourned.

FRIDAY, JANUARY 15, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The Senate proceeded to the consideration of the special order, being the resolution of Mr. Johnson amended as follows:

Resolved, That we, the representatives of the people of the State of New York, in Senate assembled, while affirming our unshaken confidence in the patriotism, fidelity, and integrity of Lieutenant-General Philip H. Sheridan, we nevertheless hereby condemn the sentiments of the telegraphic dispatch of General Sheridan, dated at New Orleans, La., January 5, 1875, to the Secretary of War, which suggests that Congress should pass a law declaring a large class of the people of Louisiana "banditti," in order that "they could be tried by a military commission;" and which also suggests "it is possible that, if the President would issue a proclamation declaring these same citizens banditti, no further action need be taken, except that which would devolve upon himself;" that we regard the recommendations contained in said dispatch as despotic in their nature, unprecedented in the history of our country, unwarranted by the present situation of affairs in Louisiana, so far as this body is, at this time, advised, and tending to the destruction of representative government and constitutional liberty.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Thompson
Bradley	Gross	McGowan	Tobey
Cole	Jacobs	Middleton	Wellman
Connelly	Kellogg	Robertson	Wood
Dickinson	King	Selkreg	Woodin
			20

FOR THE NEGATIVE.

Fox	Laning	Lord	Parmenter
Johnson	Ledwith	Moore	Ray
			8

When the name of Mr. Parmenter was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the negative.

Mr. Parmenter subsequently voted in the negative.

The President presented a memorial of the National Board of Trade relative to the liability of corporations; which was read and referred to the committee on the judiciary.

Also, a memorial from the same body for a law requiring all persons doing business under a firm-name to register the same with the county clerk of the county in which the principal place of business of such firm

is located; which was read and referred to the committee on the judiciary.

Also, a memorial from the same body for a law revising the modes of transportation upon railways; which was read and referred to the committee on railroads.

Messrs. Kellogg and Lowery presented fifteen petitions of citizens of the counties of Madison, Oswego, and Oneida for the repeal of the law of 1874, so as to exempt the New York and Oswego Midland railroad from taxation; which were read and referred to the committee on railroads.

Mr. Kellogg presented a petition of attorneys at law of Madison county for a law requiring at least one general term of the supreme court at Binghamton; which was read and referred to the committee on the judiciary.

Mr. Thompson presented a petition of attorneys of Chenango county upon the same subject; which was read and referred to the committee on the judiciary.

Mr. Lowery presented a petition of the common council of the city of Utica for the repeal of the law establishing a board of police and fire commissioners of the city of Utica; which was read and referred to the committee on the affairs of cities.

The President announced the appointment of Mr. Laning in the place of Mr. Ganson, deceased, upon the following committees: Judiciary, claims, and commerce and navigation.

The President presented the Eighth Annual Report of the State Board of Charities; which was laid upon the table and ordered printed.

(See Doc. No. 15.)

Mr. Lord presented the Twenty-sixth Annual Report of the Board of Managers of the Western House of Refuge for Juvenile Delinquents; which was laid upon the table and ordered printed.

(See Doc. No. 14.)

Mr. Lowery presented the Report of the State Lunatic Asylum, at Utica, for the year 1874; which was laid upon the table and ordered printed.

(See Doc. No. 16.)

The Assembly sent for concurrence a resolution in the words following:

"Resolved (if the Senate concur), That the people of the State of New York, through their representatives in the Legislature, deprecate and condemn the recent interference of the military forces of the United States in the organization of the Legislature of Louisiana as a gross violation of the constitutional rights of that State, and an implied menace to the rights of other States.

"Resolved (if the Senate concur), That we view with alarm the growing tendency of the general government to subordinate the civil to the military power, in total disregard of all constitutional guaranties, and even of the very spirit and essence of republican institutions.

"Resolved (if the Senate concur), That we especially condemn the proposition of Lieutenant-General Sheridan and its approval by the Secretary of War, in the name of the administration, to subject citizens to trial by military commissions in time of peace."

Ordered, That said resolutions be laid upon the table.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,'

passed March 11, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act relative to evidence in legal proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Pursuant to previous notice, Mr. Wood introduced a bill entitled "An act to provide for the organization of savings banks, for their supervision, and for the administration of their affairs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to appoint a reporter of the decisions of the supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to provide for the support and maintenance of prisoners confined upon civil process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to change the name of the Black River Insurance Company of Watertown, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Cole asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to regulate the size of apple, pear, and potato barrels,' passed May 12, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act in relation to the powers and jurisdiction of the superior court of Buffalo, and of the judges thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to amend chapter 315, Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,' passed April 23, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Pursuant to previous notice, Mr. Woodin offered the following :

Resolved, That Rule No. 48 of the Rules and Orders of the Senate be and the same is hereby amended so as to read as follows :

"**RULE 48.** The Senate shall go into consideration of executive business on the first and third Wednesdays of every month that it is in session, at twelve o'clock, at noon, thereof. Any nomination sent by the Governor for the appointment of any officer (except a notary public), shall be referred to that standing committee of the Senate to which the duties of such officer appertain; and no nomination shall be further considered by the Senate, until after the report thereon of a majority of the standing committee to which it was referred; and the consent of the Senate to the appointment of any officer nominated by the Governor, given on any day of the transaction of executive business, shall not be transmitted to the Governor until the next day thereafter for the transaction of such business. Nominations of persons for the office of notary public shall be referred to the Senator from the district in which the nominee resides, except that when the nominee resides in the city and county of New York, the reference shall be to the Senators from that city and county; and when the nominee resides in the county of Kings, the reference shall be to the Senators from that county."

Mr. Gross moved that said resolution be amended as follows :

After the word "referred," insert the words "but the committee to whom any nomination is referred shall report thereon at the next succeeding executive session."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Parmenter	
Dayton	Johnson	Lord	Ray	
Fox	Laning	Moore		11

FOR THE NEGATIVE.

Booth	Kellogg	Middleton	Tobey	
Cole	King	Robertson	Wellman	
Connelly	Lowery	Selkreg	Wood	
Dickinson	McGowan	Thompson	Woodin	
Dow				17

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Kellogg	Middleton	Tobey	
Cole	King	Robertson	Wellman	
Connelly	Lowery	Selkreg	Wood	
Dickinson	McGowan	Thompson	Woodin	
Dow				17

FOR THE NEGATIVE.

Bradley	Gross	Ledwith	Parmenter	
Dayton	Johnson	Lord	Ray	
Fox	Laning	Moore		11

Mr. Woodin offered the following :

Resolved (if the Assembly concur), That on Wednesday, January 20th, at twelve o'clock, m., the Senate and Assembly will meet in joint assem-

bly, in the Assembly chamber, to compare nominations for the office of United States Senator in place of Hon. Reuben E. Fenton, whose term of office will expire on the fourth day of March next.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said resolution to the Assembly immediately, and request their concurrence therein.

Mr. Fox moved that the Senate go into executive session to-day immediately upon the disposing of the present order of business.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Bradley offered the following :

Resolved, That on Tuesday, January 19th, at twelve o'clock, m., the Senate will proceed to vote for a Senator in Congress in place of Hon. Reuben E. Fenton, whose term of office will expire on the 4th day of March next.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Johnson moved that when the Senate adjourn to-day it adjourn to meet on Monday evening next at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Johnson, the Senate then went into executive session ; and, after some time spent therein, the doors were opened and legislative business resumed.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows :

"An act to confirm and legalize the proceedings of a special town meeting, held in and for the town of Gallatin, in the county of Columbia, and State of New York, on the 5th day of November, 1874, and to authorize and empower the board of town auditors of said town of Gallatin, in pursuance of the vote and decision of said special town meeting, to issue bonds of said town in lieu of bonds issued by commissioners appointed for said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and accrued interest and expenses to the amount of twenty-seven thousand dollars, and to transfer and deliver to one Thomas Cornell all shares of stock of said railroad company, four hundred and fifty shares, issued and delivered to said town, upon receiving from said Cornell, in consideration of said four hundred and fifty shares of said stock, said bonds of said town to the amount of twenty thousand dollars and accrued interest."

After some time spent therein the President resumed the chair, and Mr. Robertson, from said committee, reported progress on said named bill, and asked and obtained leave to sit again.

Mr. Ray moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Gross, the Senate adjourned.

MONDAY, JANUARY 18, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, January 15, was read and approved.

The President presented a message from the Governor transmitting a communication from the Governor of New Jersey relating to the boundary line between this State and the State of New Jersey; which was laid upon the table and ordered printed.

(*See Doc. No. 17.*)

Mr. Wellman presented a petition of persons residing on Genesee river praying for the passage of an act prohibiting the taking of fish from said river for three years; which was read and referred to the committee on internal affairs.

The Assembly returned the concurrent resolution providing for the joint assembly of the Senate and Assembly to compare nominations for the office of United States Senator, with a message that they had concurred in the passage of the same.

The Assembly sent for concurrence a resolution in the words following:

Whereas, The commercial interest of the whole country, and especially of the city and State of New York, demand the early improvement of Harlem river and Spuyten Duyvil creek from the North river to the East river through the Harlem kills, so as to afford a safe and convenient channel for vessels of all classes navigating the North river, and bound for ports on the East river, Long Island Sound, and in the Eastern States, thus shortening the distance of the travel between the North river and the waters of the sound, and of a large portion of the city of Brooklyn lying in the East river and between the North river and the Eastern States by more than twenty miles around the Battery by the tedious, expensive, and unsafe navigation of the waters that skirt the city, and thus avoiding the dangerous passage through Hell-Gate; therefore,

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence for an early appropriation of the amount necessary and requisite for such improvements.

On motion of Mr. King, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. McGowan gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Richfield Union Agricultural Society.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act relating to

the preservation of fish within the county of Cortland, State of New York, being chapter 336 of the Laws of 1874, so far as the same affects or relates to the inhabitants of the town of Harford in said county, and the waters therein, except private ponds for the propagation and preservation of fish,' passed May 6, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Wellman asked and obtained leave to introduce a bill entitled "An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

On motion of Mr. Cole, the Senate adjourned.

TUESDAY, JANUARY 19, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Lowery presented a petition of the board of supervisors of Oneida county for the extension of the provisions of the law of 1862 to prevent abuses in town and county charges; which was read and referred to the committee on the judiciary.

Also, a petition of the board of supervisors of Oneida county for an increase of the annual tax upon dogs; which was read and referred to the committee on agriculture.

The Assembly sent for concurrence the bill entitled as follows:

"An act to extend the time for the collection of taxes in the city of Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Lowery asked and obtained leave to introduce a bill entitled "An act to prevent abuses in town and county charges in criminal cases in the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Wellman asked and obtained leave to introduce a bill entitled "An act to allow commutation for good conduct to convicts confined in the several penitentiaries of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McGowan moved that the Senate take a recess until five minutes before twelve o'clock, M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

ELEVEN O'CLOCK AND FIFTY-FIVE MINUTES, A. M.

Senate again met.

Mr. Wood presented a communication from the Comptroller relative to an appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston; which was read and referred to the committee on finance.

By unanimous consent, Mr. Wood asked and obtained leave to introduce a bill entitled "An act making an appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to authorize plank-road and turnpike companies to reduce the number of their directors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The hour of twelve o'clock having arrived, the President announced that, pursuant to the statutes of the United States, made and provided, and agreeably to a resolution of the Senate heretofore adopted, the Senate would proceed to nominate a Senator to represent this State in the Congress of the United States in place of Hon. Reuben E. Fenton, whose term of office will expire on the fourth day of March next.

Whereupon each Senator, as his name was called by the Clerk, rose in his place and nominated as follows :

FOR EDWIN D. MORGAN.

Booth	Kellogg	McGowan	Wagner
Cole	King	Robertson	Wellman
Connelly	Lowery	Selkreg	Wood
Dickinson	Madden	Tobey	Woodin
Dow			

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FOR FRANCIS KERNAN.

Bradley	Gross	Laning	Moore
Coe	Jacobs	Ledwith	Parmenter
Dayton	Johnson	Lord	Ray
Fox			

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FOR ALLEN C. BEACH.

Middleton

1

A quorum having voted, and a majority having named Edwin D. Morgan as their choice, the President announced that Edwin D. Morgan had been nominated, on the part of the Senate, for Senator to represent this State in the Congress of the United States for six years from the fourth day of March next, to fill the vacancy which will occur on that day by the expiration of the term of service of Reuben E. Fenton.

On motion of Mr. Cole, the Senate adjourned.

WEDNESDAY, JANUARY 20, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Connolly, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize plank-road and turnpike companies to reduce the number of their directors," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to legalize certain proceedings of the common council of the city of Buffalo," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The President presented the Second Annual Report of the Managers of the New York State Inebriate Asylum; which was laid upon the table and ordered printed.

(See Doc. No. 18.)

Mr. Woodin presented the Report of the State Assessors for the year 1874; which was laid upon the table and ordered printed.

(See Doc. No. 20.)

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the deposits required to be made, and the taxes, fines, fees, and other charges payable by insurance companies of sister States,' passed May 11, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Pursuant to previous notice, Mr. McGowan introduced a bill entitled "An act to incorporate the Richfield Union Agricultural Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Woodin offered the following:

Resolved (if the Assembly concur), That 5,000 extra copies of the report of the State Assessors be printed for distribution among the supervisors and assessors of the various towns, cities, and villages of the State; said copies shall be distributed by the Secretary of State, so that each supervisor and assessor aforesaid shall receive one copy of said report.

Resolved (if the Assembly concur), That 2,000 extra copies be printed for the use of the Legislature, and 1,000 extra copies for the use of the State Assessors.

Ordered, That said resolutions be laid upon the table.

Mr. King offered the following:

Whereas, By chapter 416 of the Laws of Congress, Second Session, 1872, the Secretary of War is directed to cause examinations or surveys, or both, to be made at certain places, and, among others, as to the channel between Staten Island and New Jersey; and,

Whereas, In pursuance of such survey, by chapter 457 of the Laws of Congress, First Session, 1874, the sum of fifty thousand dollars for the opening and improving of the channel between Staten Island and New Jersey was appropriated; and,

Whereas, In pursuance of such appropriation, the United States Engineer in charge of said work has adopted a plan of operations, which is detrimental to the shores and commercial interests of the State of New York; and,

Whereas, Such plan contemplates and will result in the destruction of the Kill von Kull, as it now is, and will divert the same from the State of New York to a distant point, and into the State of New Jersey, said channel to be held there by a dyke; and,

Whereas, The effect of said dyke will be to shoal the waters on the Staten Island shore, thereby seriously injuring the commerce of the said island, and breaking up the plantations of oysters, in the care and cultivation of which a very large capital is invested and the people are almost exclusively engaged; and,

Whereas, The further effect of said dyke will be to detach a portion of the State of New Jersey, viz., Shooters' Island, and place the same south of the proposed artificial channel and upon the New York side, thereby destroying the natural boundary line between the said States, which boundary line is determined by the center of the channel of said Kill von Kull; therefore,

Resolved (if the Assembly concur), That we do earnestly protest against the projected mode of improvement of the Kill von Kull for the reason that it is not imperatively necessary, inasmuch as, according to the engineer's report, an equal depth of water of sixteen feet, at less than one-half the cost, may be had by dredging the channel as it now is, although possibly the improvement might not be so permanent. That it is in violation of the established boundary lines between the said States, destructive to the commercial interests of Staten Island, and ruinous to the lucrative pursuits of a large majority of the inhabitants.

Resolved (if the Assembly concur), That the Senators and Representatives from the State of New York in the Congress of the United States, are respectfully requested to obtain a modification of the plan of said improvement, whereby the objections, as herein stated, may be obviated; and in case that no such change of plan can be effected, then that our representatives are further requested to oppose, at every step, and to vote against any future appropriation which will be needed to carry on the said work.

Resolved (if the Assembly concur), That a copy of this preamble and resolutions be sent to each Senator and Representative from this State in the Congress of the United States.

Mr. King moved that said resolutions be referred to the committee on commerce and navigation, and that the same, with accompanying diagram, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, and the committee on the judiciary was discharged from the further consideration of the Assembly bill entitled "An act to extend the time for the collection of taxes in the city of Elmira," and the same ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Laning moved that the Senate resolve itself into a committee of the whole upon the bill entitled "An act to legalize certain proceedings of the city of Buffalo."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Whereupon the Senate, in committee of the whole, proceeded to the consideration of said bill; and, after some time spent therein, Mr. Dickinson, from said committee, reported in favor of the passage of the same, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Laning, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Selkreg
Bradley	Gross	Ledwith	Thompson
Cole	Jacobs	Lord	Tobey
Connelly	Johnson	Middleton	Wagner
Dayton	Kellogg	Moore	Wellman
Dow	King	Ray	Woodin

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Johnson offered the following:

Resolved, That a committee of two be appointed to wait upon the honorable the Assembly, and inform that body that the Senate will be ready at the time designated by law to meet in joint assembly for the purpose of comparing nominations for the office of United States Senator.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee Messrs. Johnson and Wagner.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to legalize certain proceedings of the common council of the city of Buffalo."

Mr. McGowan offered the following:

Resolved, That the Clerk of the Senate furnish to each Senator, and to each clerk and reporter of the Senate, a copy of the Legislative Manual of 1874.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Kellogg moved that the Senate take a recess until ten minutes before twelve o'clock, m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

ELEVEN O'CLOCK AND FIFTY MINUTES.

Senate again met.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,' passed March 11, 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the powers and jurisdiction of the superior court of Buffalo, and of the judges thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title 7 of chapter 1 of part 4 of the Revised Statutes relative to punishments for attempting to commit offenses," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act to extend the time for the collection of taxes in the city of Elmira," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Selkreg
Bradley	Dow	Lowery	Thompson
Coe	Fox	McGowan	Tobey
Cole	Gross	Moore	Wagner
Connelly	Kellogg	Ray	Wellman
Dayton	King	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Johnson, from the committee appointed to wait on the Assembly and inform that body that the Senate was ready to compare nominations for United States Senator, reported that they had performed the duty assigned them.

Messrs. Sherman and Alvord, a committee from the Assembly, appeared and announced that that body had made a nomination for United States Senator, and were ready to receive the Senate in the Assembly chamber and compare nominations.

Mr. Woodin moved that the executive session be postponed until the conclusion of the joint assembly of the Senate and Assembly for the election of United States Senator.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then left the chair, and with the Senate proceeded to the Assembly chamber, and on comparing nominations for Senator in Congress to supply the vacancy which will be occasioned by the expira-

tion of the term of office of Reuben E. Fenton on the fourth day of March next, they were found not to agree, the Senate having nominated on their part Edwin D. Morgan, and the Assembly Francis Kernan.

Thereupon the Senate and Assembly in joint assembly, pursuant to the statutes of the United States, proceeded to choose, by *viva voce* vote of each member present, a Senator in Congress in place of Reuben E. Fenton; and it appearing that Francis Kernan having received a majority of all the votes of the said joint assembly, a majority of all the members elected to both Houses being present and voting,

The President of the Senate thereupon announced and declared that Francis Kernan, of the city of Utica, in the county of Oneida, having received a majority of all the votes of said joint assembly, was duly elected a Senator in the Congress of the United States for six years from the 4th day of March, 1875, in place of Reuben E. Fenton, whose term of office will then expire.

The Senate having returned to the Senate chamber, the President announced the foregoing proceedings as having taken place.

The Senate then went into executive session; and, after some time spent therein, the doors were opened and the Senate,

On motion of Mr. Johnson, adjourned.

THURSDAY, JANUARY 21, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Thompson presented a petition of attorneys of Chenango county for a law requiring one general term of the supreme court to be held in each year at Binghamton; which was read and referred to the committee on the judiciary.

Mr. Gross presented a petition of the Germania Life Insurance Company for leave to purchase real estate in the city of Berlin, Prussia, for business purposes; which was read and referred to the committee on insurance.

Also, a petition of James C. Miller and others, mechanics of the city of New York, requesting payment of their claims against the board of education of said city; which was read and referred to the committee on the affairs of cities.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of the State," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Booth presented the Annual Report of the Trustees of the Astor Library for the year 1874; which was laid upon the table and ordered printed.

(See Doc. No. 21.)

Mr. Connelly gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled "An act to authorize the formation of railroad corporations, and to regulate the same."

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States with the consent thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Booth offered the following:

Resolved, That 750 copies of the Annual Report of the Astor Library, for the year 1874, be printed for the Astor Library for its foreign and domestic exchanges, on fine paper, as heretofore.

Ordered, That said resolution be referred to the committee on public printing.

Mr. McGowan moved that the bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of the State," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the extension of the time for the collection of taxes in the several towns of the State.

"An act to amend title 7 of chapter 1 of part 4 of the Revised Statutes relative to the punishments for attempting to commit offenses."

"An act to authorize plank-road and turnpike companies to reduce the number of their directors."

After some time spent therein the President resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGowan moved that said bill do now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Said bill having been announced for a third reading,

On motion of Mr. Johnson, and by unanimous consent, said bill was amended as follows:

Strike out, in section 1, the words "within the time required by his warrant."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Johnson	Madden	Ray
Coe	Kellogg	McGowan	Robertson
Cole	King	Middleton	Selkreg
Connelly	Ledwith	Moore	Thompson
Dow	Lowery	Parmenter	Wellman
Gross			

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Connelly, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Kellogg, and by unanimous consent, the rules were suspended, and the last-named bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	McGowan	Robertson
Coe	Kellogg	Middleton	Selkreg
Cole	King	Moore	Thompson
Connelly	Ledwith	Parmenter	Wellman
Dow	Lowery	Ray	Wood
Gross	Madden		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Dow offered the following :

Resolved, That when the Senate adjourns on Friday, the 22d instant, it adjourn to meet on Monday evening, the 25th instant, at half-past seven o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows :

"An act to provide for the deficiency in the appropriation for the salaries of certain officers of the government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act to legalize certain proceedings of the common council of the city of Buffalo."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Middleton, the Senate adjourned.

FRIDAY, JANUARY 22, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to authorize plank-road and turnpike companies to reduce the number of their directors."

"An act to amend title 7 of chapter 1 of part 4 of the Revised Statutes relative to the punishments for attempting to commit offenses."

"An act to authorize the extension of the time for the collection of taxes in the several towns of the State."

Mr. Lowery presented a petition of John W. Mears and others for the passage of a law unifying the educational system of the State of New York; which was read and referred to the committee on literature.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 146 of Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States with the consent thereof,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented the Annual Report of the Commissioners of Emigration for the year 1874; which was laid upon the table and ordered printed.

(See Doc. No. 22.)

The Assembly sent for concurrence the resolutions in the words following:

"Whereas, By chapter 416 of the Laws of Congress, Second Session, 1872, the Secretary of War is directed to cause examinations or surveys, or both, to be made at certain places, and, among others, as to the channel between Staten Island and New Jersey; and,

"Whereas, In pursuance of such survey, by chapter 457 of the Laws of Congress, First Session, 1874, the sum of fifty thousand dollars for the opening and improving of the channel between Staten Island and New Jersey was appropriated; and,

"Whereas, In pursuance of such appropriation, the United States Engineer in charge of said work has adopted a plan of operations, which is detrimental to the shores and commercial interests of the State of New York; and,

"Whereas, Such plan contemplates and will result in the destruction of the Kill von Kull, as it now is, and will divert the same from the State of New York to a distant point, and into the State of New Jersey, said channel to be held there by a dyke; and,

"Whereas, The effect of said dyke will be to shoal the waters on the Staten Island shore, thereby seriously injuring the commerce of the said island, and breaking up the plantations of oysters, in the care and cultivation of which a very large capital is invested and the people are very extensively engaged; and,

"Whereas, The further effect of said dyke will be to detach a portion of the State of New Jersey, viz., Shooters' Island, and place the same south of the proposed artificial channel and upon the New York side, thereby destroying the natural boundary line between the said States, which boundary line is determined by the center of the channel of said Kill von Kull; therefore,

"Resolved (if the Assembly concur), That we do earnestly protest against the projected mode of improvement of the Kill von Kull for the reason that it is not imperatively necessary, inasmuch as, according to the engineer's report, an equal depth of water of sixteen feet, at less than one-half the cost, may be had by dredging the channel as it now is, although possibly the improvement might not be so permanent. That it is in violation of the established boundary lines between the said States, destructive to the commercial interests of Staten Island, and ruinous to the lucrative pursuits of a very large number of the inhabitants.

"Resolved (if the Assembly concur), That the Senators and Representatives from the State of New York in the Congress of the United States, are respectfully requested to obtain a modification of the plan of said improvement, whereby the objections, as herein stated, may be obviated; and in case that no such change of plan can be effected, then that our representatives are further requested to oppose, at every step, and to vote against any future appropriation which will be needed to carry on the said work.

"Resolved (if the Assembly concur), That a copy of this preamble and resolutions be sent to each Senator and Representative from this State in the Congress of the United States."

On motion of Mr. King, and by unanimous consent, the rules were suspended, in order that said resolutions might be considered immediately.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

On motion of Mr. King, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said resolutions to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

A message was received from the Governor transmitting the Annual Report of the Commissioners of Quarantine, with the report of the health officer, and also report of the Commissioners for preparing a new boarding station; which was laid upon the table and ordered printed.

(See Doc. No. 23.)

The Assembly sent for concurrence the bills entitled as follows:

"An act appropriating moneys for the building of the new capitol," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to enable the city court of Brooklyn to continue its terms," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Johnson	Lowery	Selkreg
Connelly	Kellogg	Parmenter	Thompson
Dayton	King	Ray	Wellman
Dow	Ledwith	Robertson	Wood
Gross			

17

On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

By unanimous consent, Mr. Kellogg asked and obtained leave to introduce a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Connelly asked and obtained leave to introduce a bill entitled "An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes in relation to the erection, repairing, and preservation of bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Pursuant to previous notice, Mr. Connelly introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Robertson offered the following :

Resolved, That the Clerk of the Senate cause to be prepared and printed a continuation of a general index of the Laws of this State from 1870 to the present time, and that he cause to be prepared and reprinted the second volume of the index of the Laws of this State, viz., from 1857 to and including 1865; that he cause 500 copies of each of such indexes to be printed and bound; that one copy be delivered to each member of the present Senate, twenty-five copies be placed in the Senate and Assembly libraries, respectively, for the use of the Legislature, and the remainder be distributed as provided by chapter 258 of the Laws of 1845.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Gross offered the following :

Resolved, That the Annual Message of His Excellency the Governor be referred to the standing committees of the Senate, as follows: So much thereof as relates to finance, the State indebtedness, the war claims against the United States, and the necessity of appropriations for the State census and for the Centennial Exhibition, be referred to the committee on finance; that so much thereof as relates to banks, savings banks, trust, loan and indemnity companies, and the general law required by the Constitution to conform the charters of savings banks, be referred to the committee on banks; that so much thereof as relates to the constitutional amendments (except banks), frauds and malversations by public officers, imperfection of criminal laws, together with all recommendations on the subject of amendments to civil and criminal statutes, be referred to the committee on the judiciary; that so much thereof as relates to the canals and the appointment of a special commission, be

referred to the committee on canals; that so much thereof as relates to the Insurance Department, be referred to the committee on insurance; that so much thereof as relates to quarantine and emigration, be referred to the committee on commerce and navigation; that so much thereof as relates to common schools, colleges and academies, and the State Library and Museum, be referred to the committee on literature; and that so much thereof as refers to municipal affairs, be referred to the committee on the affairs of cities; and that each of said committees be requested to report upon the several topics referred to them at as early a day as their convenience will permit.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Ledwith moved that the Senate go into executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and

On motion of Mr. Booth, the Senate adjourned.

MONDAY, JANUARY 25, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, January 22, was read and approved.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the Code of Procedure," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The President presented the Report of the New York Infant Asylum for the year 1874; which was laid upon the table and ordered printed.

(See Doc. No. 29.)

Also, Fifth Annual Report of the Managers of the Society for the Reformation of Juvenile Delinquents; which was laid upon the table and ordered printed.

(See Doc. No. 28.)

Mr. Laning presented the Report of the Superintending Builder of the Buffalo State Asylum for the Insane; which was laid upon the table and ordered printed.

(See Doc. No. 27.)

Also, the Fourth Annual Report of the Board of Managers of the Buffalo State Asylum for the Insane; which was laid upon the table and ordered printed.

(See Doc. No. 26.)

Also, the Annual Report of the Le Couteulx St. Mary's Institution for the Education of Deaf Mutes; which was laid upon the table and ordered printed.

(See Doc. No. 25.)

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the board of supervisors of the county of Orange to issue certificates of indebtedness to provide for the payment of certain

outstanding debts of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to authorize the city of Albany to issue its bonds to procure means to pay, in part, for the erection of an edifice for a public high school," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act in relation to the powers and jurisdiction of the superior court of Buffalo, and of the judges thereof."

"An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857."

"An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,' passed March 11, 1874."

After some time spent therein the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Kellogg, the Senate adjourned.

TUESDAY, JANUARY 28, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Wood presented two remonstrances of citizens of the town of Skaneateles against setting off a portion of said town to the county of Cayuga; which were read and referred to the committee on the judiciary.

Also, a petition of William H. Shaw and others for the holding of a general term of the supreme court in the third judicial department, at Binghamton; which was read and referred to the committee on the judiciary.

Mr. Dayton presented a memorial of the Wine and Spirit Traders' Society of the United States relative to the sale of intoxicating liquors; which was read and referred to the committee on internal affairs.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to authorize the board of supervisors of the county of Orange to issue certificates of indebtedness to provide for the payment of certain outstanding debts of said county," reported

that they have had the same under consideration, and directed their chairman to report the same to the Senate, and recommend its passage.

Mr. Madden moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lowery, from the committee on banks, to which was referred the bill entitled "An act to provide for the organization of savings banks, for their supervision, and for the administration of their affairs," reported that they have had the same under consideration, have made amendments thereto, and directed their chairman to report the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. McGowan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,' passed March 11, 1874."

"An act in relation to the powers and jurisdiction of the superior court of Buffalo, and of the judges thereof."

"An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857."

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print copies of the Index to the Laws, reported in favor of the adoption of the following resolution :

Resolved, That the Clerk of the Senate cause to be prepared and printed a continuation of a general index of the Laws of this State from 1870 to the present time; and that he cause to be prepared and reprinted the second volume of the index of the Laws of this State, viz., from 1857 to and including 1865; that he cause 500 copies of each of such indexes to be printed and bound; that one copy of each be delivered to each member of the present Senate, twenty-five copies of each be placed in the Senate and Assembly libraries, respectively, for the use of the Legislature, and the remainder distributed as prescribed by chapter 258 of the Laws of 1845.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Bradley	Kellogg	McGowan	Thompson
Cole	King	Ray	Wagner
Dayton	Laning	Robertson	Wood
Dow			

17

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act making an appropriation to pay for the bronze statue of Robert R. Livingston," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A resolution from the Assembly was received in the words following :

Resolved, That a respectful message be sent to the honorable the Senate requesting that body to return to this House the Assembly bill entitled 'An act appropriating moneys for the building of the new capitol.'"

Mr. Wood moved that the committee on finance be discharged from the further consideration of the said bill, and that the same be returned to the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act to authorize the extension of the time for the collection of taxes in the several towns of the State."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly sent for concurrence the following resolutions :

"*Whereas*, The work heretofore carried on to remove the obstructions in the East and Harlem rivers at Hell Gate, in the city of New York, has been retarded and delayed ; and,

"*Whereas*, Said obstructions are a serious detriment to the safe navigation of the Harlem and East rivers, and a great draw-back to the commerce of the city of New York ; therefore,

"*Resolved* (if the Senate concur), That the Congress of the United States be respectfully requested to make such appropriations of the public moneys as may, from time to time, be necessary for the speedy completion of the work of removing the obstructions of Harlem and East rivers, in the State of New York, and that the proper authorities be directed to vigorously prosecute the same.

"*Resolved* (if the Senate concur), That a copy of the foregoing resolution be forwarded to the Senators and Representatives in Congress from this State."

On motion of Mr. King, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

Ordered, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

By unanimous consent, Mr. Lowery asked and obtained leave to introduce a bill entitled "An act to establish a law library in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Thompson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the enrollment of the militia for the organization of the National Guard of the State of New York, and for the public defense, and entitled the 'Military Code,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the business of banking,' passed April 18, 1838," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend title 2, chapter 10, part 3 of the Revised Statutes, entitled 'Of security for the payment of costs,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Madden moved to take from the table the report of the committee on internal affairs upon the Assembly bill entitled "An act to authorize

the board of supervisors of the county of Orange to issue certificates of indebtedness to provide for the payment of certain outstanding debts of said county."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative.

On motion of Mr. Madden, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows :

"An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States with the consent thereof.'"

After some time spent therein the President resumed the chair, and Mr. Laning, from said committee, reported in favor of the passage of the same.

On motion of Mr. Gross, and by unanimous consent, the report of said committee was amended by adding the word "acquire" at the end of line 6 of said bill.

The President put the question whether the Senate would agree to said report, as amended, and it was decided in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Gross moved that the Senate take a recess until twelve o'clock, M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

TWELVE O'CLOCK, M.

The Senate again met.

The Assembly sent for concurrence the bill entitled as follows :

"An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Gross moved that the committee on the affairs of cities be instructed to report said bill to-morrow morning.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gross moved that the memorial accompanying said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion Mr. Kellogg, the Senate adjourned.

WEDNESDAY, JANUARY 27, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. McGowan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act to amend chapter 148 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof.' "

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to convey to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860, and the acts amendatory thereof," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the support and maintenance of prisoners confined upon civil process," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases,' " reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act relating to the supreme court library, at Binghamton," reported adversely thereto.

Mr. Selkreg moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act relating to Genesee College and Genesee Wesleyan Seminary," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the surrogate of Steuben county to grant to Benjamin F. Young, of Bath, in that county, letters of administration, with the will annexed, of the goods, chattels, and credits of Richard T. Pulteney, deceased, upon filing with such surrogate a bond in the penal sum of one hundred thousand dollars," reported in favor of the passage of the same.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Selkreg
Bradley	Johnson	McGowan	Thompson
Coe	Kellogg	Middleton	Tobey
Connelly	King	Moore	Wagner
Dickinson	Laning	Ray	Wood
Dow	Ledwith	Robertson	23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act to amend charter of Genesee Wesleyan Seminary," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes in relation to the erection and preservation of bridges," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth presented a report of the committee appointed by the Chamber of Commerce relative to "head-money."

Mr. King moved that said report be referred to the committee on finance, and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. 32.)

The Assembly sent for concurrence the bill entitled as follows :

"An act to extend the time for the collection of taxes in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wood, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Robertson
Bradley	Gross	Madden	Selkreg
Coe	Johnson	McGowan	Thompson
Connelly	Kellogg	Middleton	Wagner
Dayton	King	Moore	Wood
Dickinson	Laning	Ray	23

On motion of Mr. Wood, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

The President, in behalf of the State Military Association, presented an invitation to the members of the Senate and Assembly to be present at the delivery of the annual address.

Mr. Thompson moved that the invitation be accepted.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Madden, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the board of supervisors of the county of Orange to issue certificates of indebtedness to provide for the payment of certain outstanding debts of said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Robertson
Bradley	Gross	Madden	Selkreg
Coe	Johnson	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dayton	King	Moore	Wagner
Dickinson	Laning	Ray	Wood
			24

On motion of Mr. Madden, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

By unanimous consent, Mr. Coe asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act to amend section 238 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to amend the charter of the American Institute of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Connelly asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to authorize the Buffalo Hydraulic Association to sell or abandon a part or portion of their canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to prohibit fishing near any fish-way established by the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The bill entitled "An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,' passed March 11, 1874," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Madden	Selkreg
Bradley	Johnson	McGowan	Thompson
Coe	Kellogg	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Ledwith	Robertson	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the powers and jurisdiction of the superior court of Buffalo, and of the judges thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Gross	Ledwith	Selkreg
Coe	Johnson	Middleton	Thompson
Connelly	Kellogg	Moore	Wagner
Dayton	King	Ray	Wood
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend title 7 of chapter 1 of part 4 of the Revised Statutes relative to the punishments for attempting to commit offenses," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Gross	Ledwith	Selkreg
Coe	Johnson	Middleton	Thompson
Connelly	Kellogg	Moore	Wagner
Dayton	King	Ray	Wood
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Robertson
Bradley	Dow	McGowan	Selkreg
Coe	Gross	Middleton	Thompson
Connelly	King	Moore	Tobey
Dayton	Laning	Ray	Wagner
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg
Coe	King	Middleton	Thompson
Connelly	Laning	Moore	Tobey
Dickinson	Ledwith	Ray	Wagner
Dow	Madden	Robertson	Wood
			20

FOR THE NEGATIVE.

Johnson

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. King offered the following:

Resolved (if the Assembly concur), That 1,000 copies of the Report of the Quarantine Commissioners be printed for the use of the health officer.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Dickinson offered the following:

Resolved, That 200 extra copies of the bill entitled "An act for the incorporation of villages" be printed for the use of the Senate.

By unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Wood offered the following:

Resolved, That 500 extra copies of the bill entitled "An act to provide for the organization of savings banks, for their supervision, and for the administration of their affairs," be printed for the use of the Senate.

By unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. McGowan moved that the committee on agriculture be discharged from the further consideration of the bill entitled "An act to incorporate the Richfield Union Agricultural Society," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gross moved that the bill entitled "An act to provide for the organization of savings banks, for their supervision, and for the administration of their affairs," be recommitted to the committee on banks, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act making an appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston."

"An act to amend the Code of Procedure."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Gross, the Senate adjourned.

THURSDAY, JANUARY 28, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Ledwith, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to authorize the surrogate of Steuben county to grant to Benjamin F. Young, of Bath, in that county, letters of administration, with the will annexed, of the goods, chattels, and credits of Richard T. Pulteney, deceased, upon filing with such surrogate a bond in the penal sum of one hundred thousand dollars."

"An act making an appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston."

"An act to amend the Code of Procedure."

Mr. King presented a petition of the board of trustees of school district No. 6 of the town of Northfield to change the name of said district; which was read and referred to the committee on literature.

The Assembly sent for concurrence the bills entitled as follows :

"An act to provide for the improvement of Tompkins square in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Gross, and by unanimous consent, the rules were suspended, and said bill was committed to the committee of the whole.

"An act supplementary to an act passed May 20, 1872, entitled 'An act to amend the several acts relating to the city of Rochester,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

Said bill having been announced for a third reading,

On motion of Mr. Bradley, and by unanimous consent, was amended as follows:

After "SECTION 1," strike out the first three lines down to and including the word "namely," in line 3, and insert in lieu thereof as follows:

"Section 23 of an act, passed May 20, 1872, entitled 'An act to amend the several acts in relation to the city of Rochester,' is hereby amended so as to read as follows:

"§ 23. In case the said commissioners are unable to obtain, by purchase, the title to the necessary lands, waters, etc., or such rights therein as may be required, they shall be and hereby are authorized to proceed to acquire such title or other rights in and to such lands, waters, etc., in the manner prescribed in and by the act to authorize the formation of railroad corporations, and to regulate the same, passed April 2, 1850; and, for that purpose, all the provisions of the last-mentioned act, and of the acts amendatory thereof, are hereby made applicable to proceedings under the act hereby amended."

Amend the title so as to read as follows:

"An act to amend an act entitled 'An act to amend the several acts relating to the city of Rochester,' passed May 20, 1872."

Mr. Wood moved that said bill be referred to the committee on the judiciary, and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Middleton, from the committee on agriculture, to which was referred the bill entitled "An act to amend an act entitled 'An act to regulate the size of apple, pear, and potato barrels,' passed May 12, 1870," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Middleton, from the committee on agriculture, to which was referred the petition of the board of supervisors of Oneida county relative to increasing the amount of taxation upon dogs, reported by resolution in the words following:

Resolved, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title 2, chapter 10, part 3 of the Revised Statutes, entitled 'Of security for the payment of costs,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes relative to proceedings for the drainage of swamps, marshes, and other low or wet

lands, and for draining farm lands,' passed May 12, 1869," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm and legalize the proceedings of a special town meeting, held in and for the town of Gallatin, in the county of Columbia, and State of New York, on the 5th day of November, 1874, and to authorize and empower the board of town auditors of said town of Gallatin, in pursuance of the vote and decision of said special town meeting, to issue bonds of said town in lieu of bonds issued by commissioners appointed for said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and accrued interest and expenses to the amount of twenty-seven thousand dollars, and to transfer and deliver to one Thomas Cornell all shares of stock of said railroad company (four hundred and fifty shares), issued and delivered to said town, upon receiving from said Cornell, in consideration of said four hundred and fifty shares of said stock, said bonds of said town to the amount of twenty thousand dollars and accrued interest," reported that they have had the same under consideration, and have made some amendments thereto, with the title amended so as to read "An act to authorize and empower the board of town auditors of the town of Gallatin, in the county of Columbia, to issue bonds of said town with which to retire bonds issued by commissioners appointed for said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and to transfer certain stocks of said railroad company," and said bill was committed to the committee of the whole.

Mr. Ray moved that said bill be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to enlarge the board of education in Union Free School district No. 6, in the town of Northfield, in the county of Richmond, and to change the name of said district, and to authorize said board of education to sell and convey to the purchaser thereof the present school-house and site, and also to purchase a new site for a school-house in said district, and to erect thereon a new school-house, and to provide for the raising of money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Dickinson asked and obtained leave to introduce a bill entitled "An act to amend section 31 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Madden asked and obtained leave to introduce a bill entitled "An act to extend the authority of the supreme court in proceedings by writ of mandamus to correct errors in the determination of boards of county canvassers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to assess and tax corporations, express, elegraph, and navigation companies at the Comptroller's office in

Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The bill entitled "An act making an appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Ray
Bradley	Johnson	Madden	Robertson
Connelly	Kellogg	Middleton	Selkreg
Dayton	King	Moore	Thompson
Dickinson	Laning	Parmenter	Wood
Dow	Ledwith		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend an act entitled 'An act to convey to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860, and the acts amendatory thereof."

"An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases.'"

"An act to authorize and empower the board of town auditors of the town of Gallatin, in the county of Columbia, to issue bonds of said town with which to retire bonds issued by commissioners appointed for said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and to transfer certain stocks of said railroad company."

After some time spent therein the President resumed the chair, and Mr. Gross, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Ray, and by unanimous consent, the rules were suspended, and the last-named bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Moore
Bradley	Gross	Ledwith	Ray
Connelly	Jacobs	Lowery	Robertson
Dayton	Johnson	Madden	Selkreg
Dickinson	Kellogg	Middleton	Thompson

20

On motion of Mr. Ray, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

Mr. Dow moved that the Senate hold an executive session at ten minutes past one o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows :

"An act for the improvement of Tompkins square in the city of New York."

After some time spent therein the President resumed the chair, and Mr. Ledwith, from said committee, reported in favor of the passage of said named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Wood, from the committee on engrossed bills, reported that they had compared the following entitled bill with the original ordered to a third reading, and find the same correctly engrossed :

"An act to authorize and empower the board of town auditors of the town of Gallatin, in the county of Columbia, to issue bonds of said town with which to retire bonds issued by commissioners appointed for said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and to transfer certain stock of said railroad company."

Mr. Madden offered the following :

Resolved (if the Assembly concur), That the Legislature adjourn *sine die* on Friday, March 19th, at twelve o'clock, M.

Ordered, That said resolution be laid upon the table.

Mr. Madden offered the following :

Resolved (if the Assembly concur), That there shall be submitted to the people, at the next general election to be held in this State, a proposition to so amend the Constitution as to provide for adding, at the conclusion of section 17, the following words, to wit :

"But this, nor any other provision herein contained, shall be so construed as to limit or restrict the exercise of the law-making power in the passage of any act deemed necessary by the creation of corporations, or conferring authority on those now existing, or which may hereafter come into being under special or general laws, to provide for rapid transit by means of elevated, underground, or any other system of railways other than by tracks on the surface in any of the cities of this State; nor shall the Legislature be restrained from passing any act deemed necessary to provide for the improvement of the wharves, piers, and water front at any port of entry in this State, thereby securing needed terminal facilities at such port."

Mr. Madden moved that said resolution be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The hour of one o'clock and ten minutes having arrived, the Senate went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Gross, the Senate adjourned.

FRIDAY, JANUARY 29, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to allow commutation for good conduct in the several penitentiaries of the State," reported in favor of the passage of the same, with amendments, and amended the title so as to read "An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State," and said bill was committed to the committee of the whole.

On motion of Mr. Kellogg, and by unanimous consent, the rules were suspended, and the committee of the whole were discharged from the consideration of said bill, and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Ledwith	Moore	
Bradley	Johnson	Lord	Ray	
Dayton	Kellogg	Lowery	Robertson	
Dickinson	King	McGowan	Selkreg	
Dow	Laning	Middleton	Wood	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act to repeal 'An act to subject the real and personal property of the New York and Oswego Midland railroad to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' passed April 29, 1874, and to suspend the collection of taxes assessed under the same," reported in favor of the passage of the same, with amendments, and amended the title by adding, after "railroad," the word "company," and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the New Capitol Commissioners, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 copies of the Report of the New Capitol Commissioners be printed for the use of the Commissioners.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Jacobs	Lord	Selkreg
Connelly	Johnson	Lowery	Thompson
Dayton	King	Middleton	Wood
Dickinson			

17

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print extra copies of the Comptroller's Report, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That 5,000 copies of the Comptroller's Report be printed; 3,500 copies for the Legislature, and 1,500 copies for the use of the Comptroller.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Jacobs	Lowery	Selkreg
Connelly	Kellogg	McGowan	Thompson
Dayton	King	Middleton	Wood
Dickinson			

17

FOR THE NEGATIVE.

Johnson	Lord	Moore	Ray
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4

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the State Commissioner in Lunacy, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That 500 extra copies of the Report of the State Commissioner in Lunacy be printed for the use of the Senate, and 500 for the use of the Commissioner.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	King	Robertson
Bradley	Jacobs	Laning	Selkreg
Connelly	Johnson	McGowan	Thompson
Dayton	Kellogg	Middleton	Wood
Dickinson			

17

FOR THE NEGATIVE.

Lord	Moore	Ray
------	-------	-----

3

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Quarantine Commissioners, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That 1,000 copies of the Report of the Quarantine Commissioners be printed for the use of the health officer.

Mr. Bradley moved to amend said resolution by striking out "1,000," and inserting in lieu thereof "500."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Jacobs	Lowery	Robertson
Connelly	Johnson	McGowan	Selkreg
Dayton	Kellogg	Middleton	Thompson
Dickinson	King	Moore	Wood

20

FOR THE NEGATIVE.

Lord

1

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to convey to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860, and the acts amendatory thereof."

"An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases.'"

"An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State."

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide for the deficiency in the appropriation for the salaries of certain officers of the government," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Wood, and by unanimous consent, the rules were suspended, the committee of the whole were discharged from the consideration of said bill, and the same was read a third time.

The President put the question whether the Senate would agree to to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Jacobs	Lowery	Robertson
Connelly	Johnson	McGowan	Selkreg
Dayton	Kellogg	Middleton	Thompson
Dickinson	King	Moore	Woodin

20

FOR THE NEGATIVE.

Lord

1

On motion of Mr. Wood, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county, that will mature during the year 1875," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dayton moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill having been announced for a third reading,

On motion of Mr. Dayton, and by unanimous consent, was amended as follows:

Section 1, line 4, engrossed bill, strike out the words "Thursday, December third," and insert in lieu thereof the words "Wednesday, January twenty-seventh."

Same section, line 5, strike out the word "four," and insert in lieu thereof the word "five."

Same section, line 31, strike out the word "second," and insert in lieu thereof the word "seventeenth."

Same section, line 68, strike out all after the word "weeks," down to and including the word "papers," in line 69, and insert in lieu thereof the following: "in the papers designated by resolution of said board of supervisors."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Jacobs	Lord	Robertson
Connelly	Johnson	McGowan	Selkreg
Dayton	Kellogg	Middleton	Thompson
Dickinson	King	Moore	Wood

20

On motion of Mr. Dayton, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly returned the following resolution, with a message that they had concurred in the passage of the same:

Resolved (if the Senate concur), That 2,500 copies of the Governor's Message in paper covers, and 250 copies bound in cloth be printed for the use of the Executive Department.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That 1,000 extra copies, with covers, of the Report of the Willard Asylum be printed for the use of the officers of the asylum.

Ordered, That said resolution be laid upon the table.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That 2,000 extra copies of the Fourth Annual Report of the Trustees of the New York State Homœopathic Asylum for the Insane be printed; 1,000 copies for the use of the trustees, and 1,000 copies for the use of the members of the Legislature.

Ordered, That said resolution be laid upon the table.

Mr. Booth presented the Fifth Annual Report of the Trustees of the Lenox Library; which was laid upon the table and ordered printed.

(*See Doc. No. 34.*)

Mr. Jacobs presented the Annual Report of the President of the Inebriates' Home for Kings county for the year 1874; which was laid upon the table and ordered printed.

(*See Doc. No. 35.*)

By unanimous consent, Mr. Lord asked and obtained leave to introduce a bill entitled "An act to amend chapter 605 of the Laws of 1874, entitled 'An act to authorize the Canal Commissioners to build a road or street bridge over the Erie canal on Goodman street, at the east boundary line of the city of Rochester,' passed June 5, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Johnson asked and obtained leave to introduce a bill entitled "An act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Moore asked and obtained leave to introduce a bill entitled "An act in relation to laying out, constructing and operating a rapid transit road in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Thompson presented three remonstrances of citizens of the town of Smyrna against the bill exempting the New York and Oswego Midland Railroad from taxation; which were read and referred to the committee of the whole.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to authorize the surrogate of Steuben county to grant to Benjamin F. Young, of Bath, in that county, letters of administration, with the will annexed, of the goods, chattels and credits of Richard T. Pulteney, deceased, upon filing with such surrogate a bond in the penal sum of one hundred thousand dollars."

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled "An act to amend an act entitled 'An act to convey to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Laning	McGowan	Robertson
Dayton	Ledwith	Middleton	Selkreg
Dickinson	Lord	Moore	Thompson
Dow	Lowery	Ray	Wood
King			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Jacobs	Middleton	Selkreg
Connelly	Kellogg	Moore	Thompson
Dayton	King	Ray	Wood
Dickinson	Ledwith		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the Code of Procedure," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Jacobs	Lowery	Robertson
Connelly	Johnson	McGowan	Selkreg
Dayton	Kellogg	Middleton	Thompson
Dickinson	King	Moore	Wood

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Robertson moved that the bill entitled "An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof, and for appeals therefrom," be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McGowan offered the following :

Resolved, That the committee on insurance be discharged from the further consideration of the Senate bill entitled "An act to change the name of the Farm Buildings Insurance Company," and that the same be committed to the committee on the judiciary.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Johnson moved that when the Senate adjourn to-day, it adjourn to meet on Monday evening next at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood rose and spoke as follows:

During the brief period of time extending between the last and the present session of this Senate, one of its members, the Hon. John Ganson, whose vigorous and manly form and noble and endearing qualities of head and heart we all remember, passed quickly, silently, and without premonition, into the dark valley which separates the living from the dead, and to-day he sits in a higher assemblage, relieved from the cares, trials, anxieties, and vexations of this transitory life.

It is eminently fitting and proper that the members of this body should, through the pages of its journal, transmit to posterity a memorial of their appreciation of the character and services of so worthy and distinguished an associate.

With this view, I ask leave to present to the Senate for its consideration the following:

Whereas, since the adjournment of the Legislature in April, 1874, the Hon. John Ganson, a representative of the Thirty-first Senatorial district, was, with terrible suddenness, taken from life;

Resolved, That this Senate do now make public and enduring record of the memory they bear of his integrity, without a shadow or a stain; of the courtesy and kindness with which he wielded his parliamentary skill; of the judicial ability which he brought to the examination of the greatest questions in affairs; of the strength and value of his statesmanship; of his manly independence in sentiment; of his truth and honor; and of the qualities which in their assemblage formed for him and won to him the place which he held in the heart and thought of his fellow Senators, illustrated as it was by his professional career, and by his repeated service in the councils of the State and nation.

Resolved, That to manifest the sense of the Senate of the great loss which its councils and the public service has sustained in the death of the late Senator from the Thirty-first district, it is ordered that these resolutions be entered in the journal of the Senate, and that copies thereof, duly avouched by the Lieutenant-Governor and the Clerk, be transmitted to the family of the deceased, to the mayor of the city of Buffalo, and the chief-justice of the court of appeals.

Mr. King, in seconding the adoption of the resolutions, spoke as follows:

MR. PRESIDENT — I would be as untrue to my own feelings as to the memory of Mr. Ganson, were I to remain silent. Strangers to each other when first we met in this chamber, we were soon brought into constant intimacy by being associated upon several committees. The same university had been our alma mater, and nearly at the same period, thus revealing many friendships, which were nurtured, and which bonded us together more strongly than could have been by any mere political affinity; for in politics we had some difference, but never to cloud a frank and pleasant intercourse. In open Senate, as well as in committee, I learned to appreciate and to benefit by his experience and knowledge in the law, and as a law-maker.

He had served before with marked distinction, both here and in the

House of Representatives, and therefore aided greatly one somewhat a novice. Freely consulting, I ever found him independent and broad in his views, seeking to put down corruption and to advance the honor and welfare of the State. For her he labored patiently and zealously; to her he gave the wealth of his varied knowledge and sagacity, cheerfully yielding at the bidding of his constituents many hours and days in the faithful discharge of his duty here, which, had he consulted his own pleasure or pecuniary interests, would have been passed in the courts. But for his private gain, his noble and generous nature refused to neglect a public duty. Fortunate, indeed, was it for the State to have had him, in these latter days, though too briefly, as one of the watchmen upon her towers. She needs in her councils men of such stamp and intellect — men of similar boldness and persistency, spurning the wrong and searching for the right, regardless of the shackles of party when her material interests are at stake. To him the beautiful, but terse expression of the Latin poet may be awarded — “*justum et tenacem propositi virum.*”

To wise statesmanship, legal acumen, and large acquirements were added a knowledge of the amenities of life and a fund of genial humor. A discourteous thrust was often parried by a witty retort, which disarmed the adversary.

As to his warmth of disposition, to his agreeable companionship, and to his unbounded hospitality, you, Mr. President, who have been his fellow-citizen, well know how truthfully I might dilate upon these characteristics; you know the wide blank which has been left in your society; yea, how serious, indeed, is his loss to your thriving city.

As to the varied graces of his character and hospitality I also can attest, for they were freely tendered to and enjoyed by me, when sent with him, by order of the Senate, to assist at the obsequies of the late Millard Fillmore. No thought had I then that he, who was full of life and of such great promise to the future of our State, was, with the early days of autumn ere yet the summer's leaves had fallen, to be called so abruptly to his earthly rest. How solemn the warning to each of us not to delay to seek for such guidance that we may be ready when the Master cometh, for we know not whether we shall be taken as well as was our colleague, in the full tide of duty, and with the harness on, or whether we may be required to watch the sands of life slowly ebb away.

Senators, no more can we in this chamber be greeted with the pleasant smile and courteous salutation of him who was so actively in our midst in the winter that is past; no more can we listen to the words of warning and advice which were wont to fall from his lips, but we can cherish his memory and do honor to him who was an ornament to the Senate, a safe, judicious counselor to the State, and a friend to the people. We mourn for him, as the whole State well may. Whilst to us it is permitted to express, though in feeble language, our great loss, let us not forget that there are those who have been bereaved far beyond our fathom. To them, then, let us send words of earnest sympathy sincerely uttered. Let us tell them how deeply we feel for their great grief, and may He, for He only can, who hath visited so sorely, pour balm and consolation into their sorrowing hearts.

Mr. Laning then spoke as follows:

MR. PRESIDENT — It is most appropriate that the records of the Senate should perpetuate the memory of those who died while in its service. It evidences alike the affectionate regard of those who survive, and the due estimate of the worth and public services of the departed. The

distinguished Senator, whose life and virtues you commemorate by these resolutions, and whose death you deplore, was among the foremost men of the State. His life is a striking illustration of the success which attends upon well-directed efforts under our free institutions, and furnishes an example worthy of commendation. With no adventitious circumstances of birth or fortune; deprived in infancy of a father's care and counsel; yet, endowed with a vigorous body, a noble intellect, and great force of character, he entered upon the duties of active life with a mind well stored with knowledge, and trained to habits of correct thought. By quiet industry and a strict observance of those principles which dignify and ennoble manhood, he laid the foundation for that success which ever after attended him through life. In his profession he was eminently successful, and he gave to it, with loyal devotion, the best energies of body and mind. Possessed of great executive capacity, well versed in the general principles of law, familiar with the current decisions of the courts, impelled by an honest purpose to subserve the ends of justice and protect the interests committed to his charge, and in all his professional intercourse governed by the highest sense of honor, he had won the confidence of the public, the respect of the courts and the esteem of the profession throughout the State. In public life he brought into active use all those qualities which had given him distinction as a lawyer, and by his great ability, untiring industry, spotless integrity and fidelity to every duty, commanded the respect of all without distinction of party.

Decided in his political convictions, he was in no sense a partisan; and whether as a member of this body, to which he was twice elected, or as a representative in the Congress of the nation—in whatever capacity or under whatever circumstances—he was the firm, uncompromising supporter of honest administration, of economy in the public service, of just and proper laws for the protection of all alike. He was firm in his convictions of right and fearless in their advocacy. Unswerving in his fidelity to every duty, he discharged his public trusts with signal ability and reflected honor upon the office he filled and the body of which he was a member. But I will not dilate upon the characteristics which qualified him so well as a legislator. You, his compeers and associates, knew him well and appreciate the ability with which he discharged his duty here. I leave it to you to pay such tribute to his name and character as a statesman and member of this body, as befits the subject and the occasion. I will only add the tribute of one who knew him long and well: "His character as a lawyer and statesman was rounded into complete perfection by every grace and virtue of an unstained private life." But neither private worth nor professional reputation nor public honor exempted him from the common lot of mortality. While enjoying these in their full fruition, in the prime of manhood, in the zenith of his fame, with an unclouded future radiant with bright promise of hope, almost without premonition, the dark-winged messenger crossed his path, and like a true soldier he fell with his armor on in the heat of battle.

But although dead, he still lives in the memory of those with whom he associated, and long after they have passed away he will live in the jurisprudence of the State to which he contributed, in the annals of his country he served so well, and above all in the influence of an example which cannot be circumscribed by time, but reaches into eternity.

Mr. Bradley then spoke as follows:

Mr. PRESIDENT—The sad event which gives this occasion requires

the suitable attention of this body. The death of John Ganson took from earth a lamented brother Senator, deprived a family of an affectionate husband and father, society of a worthy member, the State of a distinguished and useful citizen and legislator. He had by his industry and ability taken his place in the front rank of the legal profession and of jurists in his State.

His was an early and sudden death. He was thus taken away at middle age when in the full vigor of his manhood and usefulness, which again exemplifies the uncertainty of life and all things earthly, and admonishes us to seek preparation for that departure which sooner or later all must take. All must die, and

"Death's but a path that must be trod,
If man would ever pass to God."

Although the deceased never sought public position, but was content to pursue the duties of his profession, which he loved, yet his eminent fitness to serve the public did not escape the attention of the people. They appreciated the qualities possessed by him, which adorn only those having purity of character and marked ability, and took him from his private duties into the public service, where his faithfulness did not fail to justify their confidence and to produce intentions to elevate him to positions of greater trust and honor.

The deceased possessed large executive ability, and when acting in the public service was controlled by no influences except those which received the approval of his judgment, having in view the interests of the people. He did not permit personal considerations or individual interests to defeat his purpose to faithfully serve the public.

Yet he had social qualities of a high order. He was affable, kind and generous. My relations, both professional and social, with Mr. Ganson enable me to appreciate him in these respects. And my brief service with him in the Senate, like that of those now occupying seats in this circle, permits me to testify to his purity of character, eminent ability and worthy and untarnished fame, which it is hoped may excite the emulation of those who follow him in public or private position.

Mr. Johnson then spoke as follows:

MR. PRESIDENT—Having been associated with the deceased in this body, having shared to a considerable extent his confidence, received wise counsel from his wisdom and his intelligence, having noted the remarkable degree of intelligence and the labor and thought which he brought to every question which came before this body, I learned, in an humble way, to appreciate and admire the distinguished Senator, whose death has left so large a vacancy, and which is now the subject of these remarks.

Senator Ganson was not a party man. He was rather a statesman in the more comprehensive sense in which that term can be used, and whenever partisan questions came up for consideration in the Senate or in private life, I always noticed and remembered, that in looking beyond the influence that measures might have upon the party with which he acted, he was rather governed in his action by the influence they might have upon the public good, or the welfare of the State or country.

If I, Mr. President, in looking over this Senate last spring, should have ventured to predict which one of the members would have been first called from this active life, the splendid form of the distinguished

Senator would have been the last I would have named. He was the picture of life, his habits were regular and uniform, and it would have seemed that of all the Senators about this circle his lease of life would have compared favorably with that of any Senator of his years. And when at my home in the interior of the State in the early autumn the telegraph informed me of John Ganson's death, a thrill of horror was visible in every eye and every face of all who had the honor of his acquaintance.

He occupied a distinguished position at the bar, second, perhaps, to no man in western New York. His course and conduct in the national Congress had excited the admiration of his friends and his party, and if there was one man in the party whose career or whose future was more brilliant than another, that man was John Ganson. There was no position within the gift of his party that would not have cheerfully been laid at his feet.

Senator Ganson was called away while engaged in his professional duties without, as has been said, the premonition of warning to pass that dark river which is the boundary of time and of eternity. I can only add, Mr. President, that I feel to sympathize not only with this body, but with the party with which the distinguished deceased was a member and with the people at large in the death of Senator Ganson. His was a brilliant career, an ennobling example to the youth of our land. No member of this Senate performed a more important part or did his duty more conscientiously than did Senator Ganson.

Mr. Kellogg then spoke as follows:

MR. PRESIDENT — After the eloquent and just tributes already paid to Senator Ganson's memory, I should hesitate, perhaps, in trespassing upon the time of the Senate; and yet, Mr. President, such was my admiration for Senator Ganson, and such is my respect for his memory, that I feel justified in so doing, to give expression to those sentiments. I first met Senator Ganson during the first session of this Senate. Of his reputation as a lawyer, and of his public life, I had heard much. He came to the Senate with mature years and experience in legislative life, to represent a district of the first commercial importance of the inland cities of our State. The district I have the honor of representing stands second, and remembering the material interests of my own district and the interests of my constituents, I took early occasion to know Senator Ganson, and to his honor as a man and in justice to his representative character I can most truthfully say that as great as the interests were he represented, as competent as he was to represent those interests, his mind and comprehension was so broad, his pride in his State too keen to deny to any locality an equal opportunity in developing and maintaining the commercial interests of the State. He had no ambition for a reputation in his own district founded upon a captious opposition to any other.

I doubt not that this consideration induced the very cordial and friendly relations that grew up between the distinguished Senator and myself — a friendship and intimacy of which I felt justly proud and the memory of which will be one of the most pleasant reminiscences of my connection with this honorable body. I had the honor of being associated with the distinguished Senator on the Judiciary Committee — a committee before which came some of the most important measures that the Legislature had to consider. The daily services of this committee brought me in constant and close contact with the Senator, and the countless and varied measures that came up for action gave me an intimate knowledge of his character and judgment.

Possessing an acuteness of mind singularly rare, and an accumulation of legal information excelled by few, with an intelligent and observant judgment of human nature, he at once comprehended the scope and purpose of a bill and its intrinsic worth, and with a promptitude that was equalled only by his upright fearlessness, he acted on the side of right. I never had the honor of meeting a more just, honorable and conscientious man than John Ganson.

It was a matter of no moment to him that an objectionable measure was being pressed by a partisan friend; he opposed it firmly and openly. He was radical for the right, and no consideration of policy or expediency would induce him to forego his opposition. His detestation of fraud or wrong was as deep and implacable as his love of right and justice was supreme, and his fearless opposition of the one was only equalled by his zeal for the other. His indifference to the opinion of others, so long as he himself was satisfied, is familiar to all about this circle.

His be the praise, who, looking down with scorn
On the false judgment of the partial herd,
Consults his own clear heart, and boldly dares
To be, not to be thought, an honest man.

Senator Ganson was indefatigable in the discharge of his official duties. I undertake to say that no judicial officer ever gave a more considerate and conscientious judgment in any case than John Ganson bestowed upon any measure that he considered and acted upon. I said he was indefatigable. Labor with the distinguished Senator seemed a pleasure rather than a task. He never flagged in body or mind, and with his zeal always inspired his associates and relieved labor of its tedium. To him labor was dignified, and the highest honor; and he was sharply opposed to any and all projects that tended to mix labor and the soft elegancies and refinements of pleasure and ease. To any detraction from labor of that rugged earnestness that belonged to faithful effort and which makes success valuable, he was opposed.

His fund of wit was co-extensive with his acquirements and intelligence, and chaste and pure as it was keen and bright. It sparkled upon the slightest occasion, and was as irrepressible as the mirth it occasioned; but the winged arrow upon which its scintillations were borne, although pointed, contained no barb. If the object of his witticism was wounded, no one felt the injury more than the archer who threw the arrow—for among all the excellent traits of character that distinguished our dead friend, none stands out more prominently and to his fame and honor than his kind heart and sympathetic nature.

We around this circle mourn his death. We would not intrude our sorrow upon the tender grief of those near and dear, and yet our sympathy may be extended, while we mourn the loss of one who was one of the brightest of New York's sons. Stricken down in the midst of his years and usefulness, when his virtues and acquirements were beginning to be realized and recognized all over the State, when he had reached that degree in the confidence of his fellow citizens that his calling to the highest honor in the State would have occasioned no surprise—we wonder at this Providence. If his successful and honorable life has its lessons, if we may point to his career and draw from it virtues worthy of emulation, so, too, may we remember from his sudden death that lesson which should attend upon all, that amid all the trials of this life,

whether at the zenith of fame and honor or manfully working the ladder — death awaits us all.

Mr. Lowery then spoke as follows :

Mr. PRESIDENT — I cannot let this occasion pass without adding my approval of the resolutions proposed by the honorable Senator from the Twenty-second.

Some of us had not the honor of a long personal acquaintance with Mr. Ganson, but we all knew him by reputation for many years. I met him for the first time three years ago. My respect and admiration for the Senator grew stronger the more I saw of him. When the news flashed over the wires that John Ganson was dead, how forcibly were we, who knew him so well, reminded of the uncertainty of life ! When we left this chamber last spring, who among the thirty-two Senators promised a longer life than he ?

Mr. President, the character of John Ganson was formed and developed by the influences of our free institutions. His physical, mental, and moral faculties were the gift of God. That they were greatly superior to those allotted to most men cannot be questioned, cultivated, improved, and directed as they were by a liberal education. His person was commanding, his temperament ardent, fearless, and full of hope. Few men were blessed by their Creator with talents of so high an order. John Ganson could not be a truckling politician. He, sir, had all the elements of the high-toned statesman, rising above all party when he believed he was right.

How often have we admired his manly bearing when he arose in his place in the Senate to oppose or advocate measures — frequently in opposition to his party friends. Senator Ganson dared to do what he believed to be right. Sir, he believed that no party is willing to be responsible for the mistakes of its members, and that no man should allow himself to violate principle for the sake of party.

Mr. President, his majestic form will no more grace this Senate chamber. His voice is silent on earth forever ; his memory will live in our hearts until they shall cease to beat.

Senators, let us now contemplate his immortal spirit occupying its true relative magnitude among the moral stars of glory, in the presence of God.

Mr. Thompson then spoke as follows :

Mr. PRESIDENT — I am very glad that these resolutions have been introduced. It certainly is not fitting that a colleague so eminent as a lawyer and as a legislator should be allowed to pass away without some formal recognition of our loss. Not that this notice will add in the least to his fame, or make his image more permanent in our memories, but it is due to ourselves that this action should be taken.

I am not among the fortunate number who may claim to have been well acquainted with Senator Ganson. Being upon no committees in common, and meeting him rarely, except in the ordinary business of the session, I had little opportunity for an intimate acquaintance with him. In fact, there was something about his manner that while always strictly courteous, yet seemed to me to be formal and distant. But having, by accident, been thrown in his company, during a few hours' ride upon a railroad train, I met him, for the first time, in his easy and social mood, and from that time our acquaintance seemed comparatively an intimate and pleasant one, and when the telegraph announced his sudden death, I felt it as the loss of a near friend.

Endowed with more than usual natural ability, of thorough culture, of great industry, of high standing in his profession, and of remarkably fine personal presence, there seemed combined in him, in an eminent degree, those qualities that go to make up the citizen of which any community must be proud.

My brief acquaintance with him will be one of life remembrance, and I cheerfully bear witness to his value as a legislator and as a man, and which has been so fittingly expressed by others.

Representing, as I do, a district so nearly balanced between the leading parties, that it is by merely a feather's weight that I am here, I express equally the voice of the party in opposition to, as of that to which he belonged, when I rise to approve these resolutions and to add my voice to those asking their passage.

I do not desire to say more upon this subject, upon which the Senate can be more appropriately and effectively addressed by others; but out of regard for my constituency, with whom he was held in high esteem, and many of whom were his personal friends, I could hardly say less.

Mr. Selkreg then spoke as follows:

Mr. PRESIDENT—I entertain many and grave doubts whether I should at this time utter one single sentence, for whatever I may say can only be to eradicate the impression made upon the members of the Senate here present in regard to the life and character of the departed. It is just one-third of a year—just about that period of time has lifted out of the life of each one of us into the returnless past—since my eye caught the dispatch, as your eyes caught the dispatch wherever you might have been in the various parts of the State, which announced the wide-spread grief at the death of John Ganson.

Instantly the subtle threads of memory were in action, and the inward picture of the past spread before me, as it spread before you, of the time when our associate sat in this body, bringing with him honor higher than that to which the majority of us may hope to attain. He won the respect not only of his city, but of the State; nay more, upon a broader and grander field, the respect of the people of the Union. If it is sad when death comes to him whose usefulness to mankind has been accomplished, how much sadder it is to see such an one as John Ganson stricken down in his prime before the touch of the great destroyer.

May it be ours, when we shall drift out over that sea which has but one shore and whose heavings beyond are infinite and eternal, to leave behind us a small portion, even, of the respect accorded to the deceased. We cannot hope to reach a height such as that to which he attained; but we may follow the path he trod, knowing that that path led always to the right and was always within the line of duty.

Mr. Robertson then spoke as follows:

Mr. PRESIDENT—When I was told that John Ganson was dead it did not seem to me that it could be so. When we parted in May he was in the full glow of health, and no one around this circle gave promise of longer life. Till this Senate came together, I had known him only by report; after that, few knew him better. We were in the same branch of the Legislature, served on the same committees, lived at the same house.

The usual tests by which manhood and ability are tried, I saw applied to him. To the one he was true, in the other great; as a lawyer he was pre-eminent and stood in the front rank of his profession. I heard him often in the court of appeals. On those occasions he stated the facts always clearly, tersely and fairly, grouping them and applying the law

with a masterly hand, detecting instantly the slightest distinction between the cases cited by his opponent and the one before the court, and sweeping away by the force of his irresistible logic all sophistry however ingeniously woven. He won border cases almost without exception, and for years argued more causes at general term and in the court of appeals than any other member of the bar.

He was no politician; he favored no measure because it was popular, nor withheld his support for fear of the people's displeasure. No vote was ever given for him through any instrumentality, to his knowledge or with his consent, that would not have been so given without any influence whatever.

He was a statesman. There never was a law-maker who was under less control of party and under less influence of friends while in the discharge of legislative duties. Corruption withered in his presence. Any measure which in his judgment would conduce to good government and promote the best interests of the people, though detrimental to his party and distasteful to his friends, had his earnest and unqualified support.

He was a model citizen. Pure in thought and pure in deed, he led a blameless life, and every duty that devolved upon him as a citizen was faithfully and fully discharged.

His death has created a void in his party and in the bar of this State which it will be difficult, very difficult, to fill. By the death of no other public man would the State and good government have sustained a greater loss.

Though the loss to the State, to the party, to the legal profession be great, it is immeasurably greater to the surviving members of his family, who, in their sad and sudden bereavement, have the heartfelt sympathy of every member of the Senate.

The President then put the question whether the Senate would agree to said resolutions, and they were unanimously adopted.

Mr. Wood moved that, as a further evidence of respect, the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

MONDAY, FEBRUARY 1, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, January 29, was read and approved.

The President presented the report of the Attorney-General, in response to a resolution of the Senate, relative to the act incorporating the Marsh Land Company.

Mr. King moved that the report be referred to the committee on the judiciary, and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. 37.)

The President announced the following appointment:

President's Messenger — David Love, Jr., in place of William S. Pratt,

The Assembly sent for concurrence the following resolutions :

Whereas, the Legislature of the State of New York has at different times ratified and confirmed leases between Indian and white settlers on the Allegany Indian reservation, in said State ; and,

Whereas, the courts of this State have decided that said ratification is null and void, the Congress of the United States alone possessing power to deal with and for the Indians ; and that as Judge Barker, of the Supreme Court of this State, in an elaborate opinion, given in a suit to test the legality of such ratification of leases, did say that State action alone cannot accomplish the results ; that the State should, through its Legislature and executive officers, take appropriate steps to secure the aid and co-operation of the United States to secure to the white settlers the ratification of their leases and to protect them in their rights. Now, therefore,

Resolved (if the Senate concur), That our Senators and Representatives in Congress are requested to lay the matter before Congress at an early day, and procure the passage of a law or take some action for the relief of white settlers.

Resolved (if the Senate concur), That a copy of these resolutions be furnished to each of the members of the Senate and Congress from this State.

Ordered, That said resolutions be laid upon the table.

The Assembly sent for concurrence the bills entitled as follows :

"An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' known as the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend section 6, of title 2, chapter 10, of part 3, of the Revised Statutes, concerning security for the payment of costs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act providing for the forfeiture of property in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of library companies,' passed June 17, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to enable the Charity Foundation of the

Protestant Episcopal Church in the city of Buffalo to sell and convey certain lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to amend the charter of the New York Infant Asylum in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Lowery asked and obtained leave to introduce a bill entitled "An act in relation to banks, banking associations, individual bankers, and other moneyed corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Robertson offered the following :

Resolved (if the Assembly concur), That the Joint Rules of the last Legislature be the Joint Rules for the present session, until otherwise ordered ; and that the same be referred to the committee on rules of each House for revision.

On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to deliver said resolution to the Assembly immediately, and request their concurrence therein.

On motion of Mr. Dow, the Senate adjourned.

TUESDAY, FEBRUARY 2, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Lowery presented a memorial of the board of supervisors of Oneida county relative to the canals; which was read and referred to the committee on canals.

Mr. Madden presented a remonstrance of tax-payers of the town of Fallsburgh against the passage of the act repealing the act exempting from taxation the New York and Oswego Midland railroad; which was read and referred to the committee of the whole.

Also, a petition for the extension and continuation of the charter of the Orange County Mutual Insurance Company; which was read and referred to the committee on insurance.

Mr. Lowery, from the committee on banks, to which was referred the bill entitled "An act in relation to banks, banking associations, individual

bankers and other moneyed corporations," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tobey, from the committee on insurance, to which was referred the bill entitled "An act to change the name of the Black River Insurance Company of Watertown," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tobey, from the committee on insurance, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the deposit required to be made and the taxes, fines, fees and other charges payable by insurance companies of sister States,' passed May 11, 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to repeal chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868; also chapter 282 of the Laws of 1869 entitled 'An act to amend an act entitled An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the payment to said Marsh Land Company of moneys paid by them into the treasury of the State in pursuance of said chapter 864 of the Laws of 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to authorize the appointment of a clerk to the surrogate's court," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to incorporate the Twelfth Ward Savings Bank, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Dow called from the table the resolutions in the words following:

Whereas, The Legislature of the State of New York has at different times ratified and confirmed leases between Indian and white settlers on the Allegany Indian reservation in said State; and

Whereas, The courts of this State have decided that such ratification is null and void, the Congress of the United States alone possessing power to deal with and for the Indians, and that, as Judge Barker of the supreme court of this State, in an elaborate opinion given in a suit to test the legality of such ratification of leases, did say that State action alone cannot accomplish the results; that the State should, through its legislature and executive officers, take appropriate steps to secure the aid and co-operation of the United States to secure to the white settlers the ratification of their leases and to protect them in their rights; now, therefore,

Resolved (if the Senate concur), That our Senators and Representatives in Congress are requested to lay the matter before Congress at an early day and procure the passage of a law or take some action for the relief of said white settlers.

Resolved (if the Senate concur), That a copy of this resolution be furnished to each of the members of the Senate and Congress from this State.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

Ordered, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Tobey offered the following :

Resolved (if the Assembly concur), That there be provided for the use of the members of the Senate and Assembly 2,000 copies of the annotated edition of the Amended Constitution of the State of New York, printed by Griffith & Byrnes, of New York, at a cost not exceeding fifty cents to the public.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Selkreg called from the table the following resolutions :

Resolved (if the Senate concur), That 2,000 extra copies of the Fourth Annual Report of the Trustees of the New York State Homœopathic Asylum for Insane be printed, 1,000 copies for the use of the Trustees and 1,000 for the use of the members of the Legislature.

Resolved (if the Senate concur), That 1,000 extra copies, with covers, of the Report of the Willard Asylum be printed for the use of the asylum.

Resolved (if the Assembly concur), That 5,000 extra copies of the report of the State Assessors be printed for distribution among the supervisors and assessors of the various towns, cities, and villages of the State ; said copies shall be distributed by the Secretary of State, so that each supervisor and assessor aforesaid shall receive one copy of said report.

Resolved (if the Assembly concur), That 2,000 extra copies be printed for the use of the Legislature, and 1,000 extra copies for the use of the State Assessors.

Mr. Selkreg moved that the said resolution be referred to the committee on public printing.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message was received from the Governor transmitting the Annual Report of the Cooper Union for the Advancement of Science and Art, for the year ending December 31, 1874 ; which was laid upon the table and ordered printed.

(See Doc. No. 36.)

The Assembly returned the following resolution, with a message that they had concurred in the passage of the same :

Resolved (if the Assembly concur), That the Joint Rules of the last Legislature be the Joint Rules for the present session until otherwise ordered, and that the same be referred to the committee on rules of each House for revision.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend title 2, chapter 10, part 3 of the Revised Statutes, entitled 'Of security for the payment of costs.' "

"An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes in relation to the erection, repairing, and preservation of bridges."

After some time spent therein the President resumed the chair, and Mr. Lord, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same were ordered engrossed for a third reading.

On motion of Mr. Fox, the Senate adjourned.

WEDNESDAY, FEBRUARY 3, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The Assembly sent for concurrence the report of the joint committee of the Senate and Assembly on Joint Rules, as follows:

JOINT RULES OF THE SENATE AND ASSEMBLY.

RULE 1. Each house shall transmit to the other all papers in which any bill or resolution shall be founded.

RULE 2. When a bill or resolution which shall have passed in one house shall be rejected in the other, notice thereof shall be given to the house in which the same may have passed.

RULE 3. Messages from one house to the other shall be communicated by their clerks respectively, unless the house transmitting the message shall specially direct otherwise.

RULE 4. It shall be in the power of either house to amend any amendment made by the other to any bill or resolution.

RULE 5. In every case of difference between the two houses, upon any subject of legislation, either house may request a conference, and appoint a committee for that purpose, and the other shall also appoint a committee to confer. The committee shall meet at such hour and place as shall be appointed by the *chairman* of the committee on the part of the house requesting such conference. The conferees shall state to each other verbally, or in writing, as either shall choose, the reasons of their respective houses, and confer freely thereon. The committee shall report, in *writing*, and shall be authorized to report such modifications or amendments as they think advisable. But no committee on conference shall consider or report on any matters except those directly at issue between the two houses. The papers shall be left with the conferees of the house assenting to such conference, and they shall present the report of the committee to their house. When such house shall have acted thereon, they shall transmit the same, and the papers relating thereto, to the other, with a message certifying its action thereon. Every report of a committee of conference shall be read through, in each house, before a vote is taken on the same.

RULE 6. It shall be in order for either house to recede from any subject-matter of difference subsisting between the two houses at any time previous to conference, whether the papers on which such difference arose are before the house receding, formally or informally; and on such vote to recede, the same number shall be required to constitute a

quorum to act thereon, and to assent to such receding, as was required on the original question out of which the difference arose.

RULE 7. After each house shall have adhered to their disagreement, the bill which is the subject of difference shall be deemed lost, and shall not again be revived during the same session in either house.

RULE 8. All joint committees of the two houses, and all committees of conference, shall consist of three senators and five members of assembly, unless otherwise specially ordered by concurrent resolution.

RULE 9. No bill which shall have passed one house shall have its final reading in the other in less than two days thereafter, without the consent of two-thirds of the members thereof present; and whenever ten or more bills shall be in readiness for final reading in either house, such house shall forthwith proceed to the final reading of such bills, under the order of "third reading of bills, and continue the same from day to day, until all such bills" then in readiness for final reading shall have been read, unless this order of business shall, by the vote of two-thirds of the members present, be suspended or laid on the table. All such bills shall have their last reading in each house in the order in which the same shall have been ordered to a final reading in such house, unless the bill to be read be laid on the table. In all cases where a bill shall be so ordered to lie on the table, it shall retain its place in the order of the final reading of bills, but shall not be called up for consideration unless by a vote of a majority of the members present.

RULE 10. The same bill shall not, specially or by name, create, renew or continue more than one incorporation, nor contain any provisions in relation to the altering of more than one incorporation by name; but this rule shall not be construed to apply to corporations to be formed under general laws according to the eighth article of the constitution, nor to bills for consolidating corporations. After any bill has been reported by a committee, no amendment shall be made thereto which introduces an entirely new and different subject-matter from the subject-matter of the bill reported.

RULE 11. Whenever there shall be an election of officers by the joint action of the two houses, the result shall be certified by the president of the senate and speaker of the assembly, and shall be reported by the presiding officer of each house to their respective houses, and be entered on the journals of each, and shall be communicated to the governor by the clerks of the two houses.

RULE 12. There shall be printed, of course, and without order, 614 copies of all original bills reported by committees of either house; and 800 copies of all messages from the governor (except messages certifying his approval of bills), all reports of standing or select committees, and all reports or communications made in pursuance of law; and 796 copies of the journal of each house, which number shall be denominated the usual number.

RULE 13. Neither house shall order the printing or purchasing of books for the use of members or for distribution, except by joint resolution, upon which the ayes and noes shall be called, and which must receive the votes of a majority of each house; and no printing shall be done, by order of either house, which is not embraced in the contract for doing the public printing. Whenever either house shall order more than the usual number of any message or document, the fact shall be communicated immediately by message to the other. Whenever extra copies of any document shall be ordered printed, the

printer shall be authorized and required to deliver to the trustees of the State library at least five copies in addition to the number so ordered, for the use of the said library; and whenever more than five hundred copies are so ordered, the printer shall in like manner furnish five additional copies for each five hundred for the purpose of literary exchanges.

RULE 14. When the same document shall by separate orders be directed to be printed by both houses, it shall be regarded as but one order, unless otherwise expressly directed by either house.

RULE 15. In the distribution of documents, the governor and elective State officers, and State officers appointed by the governor and Senate, or elected by joint or concurrent action of the two houses, shall each have the same number as each of the members; and a specified number may be added for any committee, officer, or author of a document.

RULE 16. The sergeant-at-arms of each house shall receive from the printer all matter ordered by the respective houses, and shall keep a book and enter therein the time of reception by him of every such bill or document, and the number of copies received, and shall cause each and any of such bill or document to be immediately placed on the desks of the members.

RULE 17. There shall be printed six hundred and fourteen bills, and distributed as follows:

To the senate.....	125 copies.
To the assembly.....	450 copies.
To the State officers	28 copies.
To the State library.....	1 copy.
Retained to bind	10 copies.

There shall be printed three hundred and ten messages and documents, and distributed as follows:

To the senate	80 copies.
To the assembly	190 copies.
To State officers	30 copies.
To the State library.....	1 copy.

There shall be printed three hundred journals of each house, and distributed as follows:

To the senate	80 copies.
To the assembly	188 copies.
To the State officers.....	30 copies.
To the State library.....	2 copies.

There shall be printed to bind, four hundred and ninety-six journals of each house, and the same number of messages and documents, and distributed as follows:

For the senate.....	38 copies.
For the assembly	134 copies.
For senate library.....	16 copies.
For assembly library	50 copies.
For the counties and public officers.....	123 copies.
For literary and scientific exchanges, to be made by the regents of the university, including one copy for each State and Territory and one copy for each of the regents who are not otherwise provided for	124 copies.
For State library.....	5 copies.

There shall also be printed and bound for the State library five copies of the Session Laws, and also of the journal of each house, and fifty-five copies of the same for the regents of the university, for the purpose of literary exchanges.

The clerk of each house shall forthwith, after the journal thereof of each day is approved, deliver a legible copy thereof to the printer for the two houses, who shall have the same printed and delivered to the sergeant-at-arms of each house within forty-eight hours thereafter.

RULE 18. There shall be a standing committee, consisting of three members of the senate and five members of the assembly, to be called the joint committee on the State library and cabinet of natural history.

RULE 19. The supply bill and the annual appropriation bill shall be reported by the fifteenth day of March, and printed immediately thereafter, and made the special order for the twenty-fifth day of March, or some day prior thereto, immediately after the reading of the journal.

RULE 20. No bill introduced after the fifteenth day of March in either house shall have its final reading in either house until all bills previously introduced in either, and sent from one house to the other house for concurrence and ready for third reading, shall be disposed of, unless by unanimous consent, except the supply bill and the annual appropriation bill; and the clerk of each house shall note on each engrossed bill the day on which it was introduced, and the day on which it was received from the other house, and shall announce such facts when the same is proposed to be read a third time.

RULE 21. When a bill originated in the senate or assembly shall have been lost in either house, neither the same, nor any other bill on the same subject, and containing similar provisions, shall be subsequently introduced into the senate or assembly during the same session, unless by unanimous consent.

RULE 22. The postmaster of each house shall weigh and stamp all documents sent by mail or express, and enter in a book to be kept by him for that purpose, the amount of postage or express charge thereon, and report to the clerk of the respective houses the aggregate thereof weekly; and the assistant postmaster of each house shall enter in a book to be kept by him for that purpose an accurate account of all documents, with the postage or express charges paid thereon, transmitted from the post-office of their respective houses by mail or express, and report the aggregate thereof weekly to the respective clerks of the senate and assembly; and the clerks of the senate and assembly shall, from time to time, furnish to the postmaster of each house respectively, the stamps requisite for carrying into execution this rule, and an account thereof shall be kept by them in books to be by them provided for that purpose; and the books kept by the postmaster and assistant postmaster, above specified, shall be, at all times, open to the inspection of the clerks and members of each house respectively.

Mr. Robertson moved that said report be referred to the committee on rules.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1875."

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to authorize fire insurance companies to loan surplus funds outside of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Sisterhood of the Grey Nuns in the State of New York,' passed April 6, 1871," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend chapter 486 of the Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York,' passed May 11, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

By unanimous consent, Mr. Coe asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend sections 122 and 123 of article 6, of title 1 of chapter 16, of part 1 of the Revised Statutes, in relation to the erection, repairing, and preservation of bridges."

"An act to amend title 2, chapter 10, part 3 of the Revised Statutes, entitled 'Of security for the payment of costs.'"

The bill entitled "An act to amend title 2, chapter 10, part 3 of the Revised Statutes, entitled 'Of security for the payment of costs,' was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Ray
Bradley	Dow	Lord	Robertson
Coe	Fox	McGowan	Tobey
Cole	Gross	Middleton	Wagner
Connelly	Kellogg	Parmenter	Wood
Dayton	King		

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes, in relation to the erection, repairing and preservation of bridges," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Madden	Selkreg	
Bradley	Dow	McGowan	Tobey	
Coe	Fox	Middleton	Wagner	
Cole	Kellogg	Parmenter	Wellman	
Connelly	King	Ray	Wood	
Dayton	Laning	Robertson		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the improvement of Tompkins square in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Dayton	Gross	Laning	Parmenter	
Fox	Jacobs	Madden	Ray	8

FOR THE NEGATIVE.

Booth	Dow	McGowan	Wagner	
Cole	Kellogg	Robertson	Wellman	
Connelly	King	Selkreg	Wood	
Dickinson	Lowery	Tobey		15

Mr. Gross moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. Wood moved that 125 extra copies of the bill entitled "An act to assess and tax corporations, express, telegraph, and navigation companies at the Comptroller's office in Albany," be printed for the use of the Senate.

By unanimous consent, the rules were suspended, in order that said motion might be considered immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act for the payment of the fees of the sheriff of the county of New York for the confinement of prisoners on civil process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to provide for the election of city marshals in and for the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Lowery, from the committee on manufactures, to which was referred the bill entitled "An act to amend the charter of the American Institute of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Twelfth Ward Savings Bank in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders; and, after some time spent therein,

The hour of twelve o'clock having arrived, the Senate went into executive session; and, at the conclusion thereof, the doors were opened, and the Senate again, in committee of the whole, resumed the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees, and other charges payable by insurance companies of sister States,' passed May 11, 1865."

"An act to enable Genesee College to contract with Genesee Wesleyan Seminary to fulfill the obligations of said college, and to enable said college to transfer its property to said seminary for said purpose."

"An act to amend an act entitled 'An act to incorporate the Genesee Wesleyan Seminary,' passed May 1, 1834."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the first named bill.

Mr. Ray moved that said bill be recommitted to the committee on insurance, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dow, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings, and proceedings of the courts of this State, known as the 'Code of Procedure,' reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplementary thereto," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Tobey, from the committee on insurance, to which was referred the petition of F. Edsall and others praying for the continuing and extension of Orange County Mutual Insurance Company, reported by bill entitled "An act to extend the charter of the Orange County Mutual Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the city of Newburgh to borrow moneys, and to issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds thereafter to pay water bonds heretofore issued," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the city of Albany to issue its bonds to procure means to pay in part for the erection of an edifice for a public high school," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message was received from the Governor transmitting a communication from the Director-General of the International Exhibition to be held at Philadelphia; which was laid upon the table and ordered printed.

(See Doc. No. 38.)

On motion of Mr. Wellman, and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to incorporate the Genesee Wesleyan Seminary,' passed May 1, 1834," was read a third time.

The President* put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Madden	Thompson
Bradley	Fox	Middleton	Tobey
Cole	Gross	Parmenter	Wagner
Connelly	Laning	Ray	Wellman
Dayton	Lord	Robertson	Wood
Dickinson	Lowery		

On motion of Mr. Wellman, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

On motion of Mr. Wellman, and by unanimous consent, the rules were suspended, and the bill entitled "An act to enable the Genesee College to contract with Genesee Wesleyan Seminary to fulfill the obligations of said college, and to enable said college to transfer its property to said seminary for said purpose," was read third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	McGowan	Selkreg
Cole	Gross	Middleton	Thompson
Connelly	King	Parmenter	Wagner
Dayton	Laning	Ray	Wellman
Dickinson	Lowery	Robertson	Wood
Dow	Madden		

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On motion of Mr. Wellman, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend an act entitled 'An act to incorporate the Genesee Wesleyan Seminary,' passed May 1, 1834."

"An act to enable Genesee College to contract with Genesee Wesleyan Seminary to fulfill the obligations of said college, and to enable said college to transfer its property to said seminary for said purpose."

Mr. Cole moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to repeal 'An act to subject the real and personal property of the New York and Oswego Midland railroad to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' passed April 29, 1874, and to suspend the collection of taxes assessed under the same."

"An act in relation to banks, banking associations, individual bankers, and other moneyed corporations."

After some time spent therein the President resumed the chair, and Mr. Wellman, from said committee, reported progress on said named bills, and asked and obtained leave to sit again.

Mr. Wood moved that the first named bill be recommitted to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Gross, the Senate adjourned.

THURSDAY, FEBRUARY 4, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act to establish specie payments on all contracts or obligations payable in the State in dollars, and made after January 1, 1879," reported that they have had the same under consideration, and directed their chairman to report the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed, by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,'" reported in favor of the passage of the same, with amendments; and said bill was committed to the committee of the whole.

Mr. Bradley presented a petition of William Burr for a law confirming his official acts as justice of the peace, and to enable him to take and file his oath of office; which was read and referred to the committee on the judiciary.

Mr. Tobey presented a petition of A. B. James and others, attorneys of the counties of St. Lawrence, praying for a law authorizing the justices of the supreme court to hold the general term at Binghamton; which was read and referred to the committee on the judiciary.

The Assembly returned the bill entitled "An act to authorize and empower the board of town auditors of the town of Gallatin, in the county of Columbia, to issue bonds of said town with which to retire bonds issued by commissioners appointed for said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and to transfer certain stock of said railroad company," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 7, engrossed bill, after the word "times," insert the words "not later than January one, nineteen hundred and six."

Same section, line 8, after the word "determined," insert the words "which bonds shall be sold at not less than par."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Ray
Bradley	Gross	Madden	Robertson
Connelly	Johnson	McGowan	Selkreg
Dayton	Kellogg	Middleton	Thompson
Dickinson	King	Parmenter	Wellman
Dow			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly sent for concurrence the bills entitled as follows:

"An act to provide payment for the services of certain officers and employees of the Assembly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the county of Essex to borrow money for the purpose of enlarging, repairing, and improving its county poor-house, and to authorize the issue of bonds and provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks, and promissory notes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing and empowering the board of public works of the city of Rochester to construct a turn-table or swing-bridge over the Genesee Valley canal, in West avenue, in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly returned the concurrent resolutions to print 500 copies of the Report of the Quarantine Commissioners, and 5,000 copies of the Report of the Comptroller, with messages that they had concurred in the passage of the same.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That 1,500 copies of the Annual Report of the Superintendent of Public Instruction and the Regents of the University in the New York State Normal School, at Albany, be printed for the use of said school.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to legalize and confirm the official acts of William Burr, justice of the peace, in the town of Lindley, in Steuben county, and to enable him to take and file his oath of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 1, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act authorizing the boards of town auditors in the several towns throughout the State to fix the compensation of the overseers of the poor in their respective towns," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to provide for the sale of real estate, or any interest in real estate, owned or possessed by any city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to permit the Albany and Sand Lake Plankroad Company to loan money, and make alterations and improvements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail of the county of New York upon civil process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to protect the right of trial by jury," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to provide for the distribution of excise moneys in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act in relation to corporations transacting business in other States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Dickinson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871, passed May 9, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Lord offered the following:

Resolved, That there be printed 2,500 copies of the Report of the Western House of Refuge for the use of the Managers of that institution.

Ordered, That said resolution be referred to the committee on public printing.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to extend the charter of the Orange County Mutual Insurance Company."

"An act to amend an act entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866."

"An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued."

After some time spent therein the President resumed the chair, and Mr. Thompson, from said committee, reported progress on the first and last named bills, and asked and obtained leave to sit again.

Mr. Thompson, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Johnson moved that the last named bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows :

"An act to authorize the city of Albany to issue its bonds to procure means to pay in part for the erection of an edifice for a public high school."

After some time spent therein the President resumed the chair, and Mr. McGowan, from said committee, reported in favor of the passage of said named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Booth, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson offered the following :

Whereas, It is well known that the distinguished scholar and poet, William Cullen Bryant, will visit this city on Tuesday next; and whereas, it is eminently fit that the members of this body, on the occasion of that visit, should pay him the respect that is due to one whose life has been long and spotless, whose scholarly attainments are unsurpassed, and whose poetical fame is unbounded; therefore,

Resolved, That we invite him to this chamber on that day, at twelve o'clock, noon, and extend to him its privileges; and that a committee of three be appointed to carry this resolution into effect and make the necessary preparations for his reception.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President announced as such committee Messrs. Robertson, Wood, and Johnson.

Mr. Johnson called from the table the following resolution :

Resolved (if the Assembly concur), That the Legislature adjourn *sine die* on Friday, March 19th, at twelve o'clock, M.

Mr. Madden moved that the further consideration of the resolution be postponed indefinitely.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King, from the committee on insurance, to which was referred

the bill entitled "An act to amend an act entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees, and other charges payable by insurance companies of sister States,' passed May 11, 1865," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Madden moved that the bill entitled "An act to extend the charter of the Orange County Mutual Insurance Company," be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lowery offered the following:

Resolved (if the Assembly concur), That 3,000 copies of the Annual Report of the Board of Managers of the New York State Lunatic Asylum, at Utica, be printed; 2,000 for the use of the Managers, and 1,000 for the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to authorize and empower the board of town auditors of the town of Gallatin, in the county of Columbia, to issue bonds of said town with which to retire bonds issued by commissioners appointed for said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and to transfer certain stock of said railroad company."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Dickinson, the Senate adjourned.

FRIDAY, FEBRUARY 5, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize and confirm the official acts of William Burr, a justice of the peace, in the town of Lindley, in Steuben county, and to enable him to take and file his oath of office," reported in favor of the passage of the same.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 6 of title 2, chapter 10 of part 3 of the Revised Statutes concerning security for the payment of costs," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks, and promissory notes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the charter of the Farm Buildings Fire Insurance Company," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Sisterhood of Gray Nuns in the State of New York,' passed April 6, 1871," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. McGowan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act to amend an act entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866."

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to enable the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo to sell and convey certain lands," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows :

"An act to amend an act, passed May 27, 1873, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the better enforcement of certain penal laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the rights and liabilities of married women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary. .

"An act excluding from the right of suffrage all persons convicted of bribery or of any infamous crime," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act amendatory of the several acts relating to Washington park in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to enable Genesee College to contract with Genesee Wesleyan Seminary to fulfill the obligations of said college, and to enable said college to transfer its property to said seminary for said purpose."

"An act to amend an act entitled 'An act to incorporate the Genesee Wesleyan Seminary,' passed May 1, 1834."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That 1,000 copies of the reports and testimony taken by the commissioners appointed by His Excellency, the late Governor, to investigate and report upon the disposition and management of the Cornell University Land Grant, be printed for the use of the Legislature.

Ordered, That said resolution be laid upon the table.

The bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866," was read a third time.

The President put the question whether the Senate would agree to to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg	
Bradley	Johnson	McGowan	Thompson	
Connelly	King	Middleton	Tobey	
Dayton	Laning	Ray	Wellman	
Dow	Lord	Robertson	Wood	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the city of Albany to issue its bonds to procure means to pay in part for the erection of an edifice for a public high school," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg	
Bradley	Gross	Middleton	Thompson	
Connelly	Johnson	Parmenter	Tobey	
Dayton	Kellogg	Ray	Wellman	
Dow	Laning	Robertson	Wood	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide payment for the services of certain officers and employees of the Assembly," reported that they have had the same under consideration, and directed their chairman to report

the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Wood moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act making an appropriation for the improvement of the Champlain canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Laning offered the following:

Resolved, That 500 copies of the proceedings of the Senate, commemorative of the Life and Services of Senator Ganson, be printed for the use of the Senate, under the supervision of the Clerk of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplementary thereto."

"An act in relation to banks, banking associations, individual bankers, and other moneyed corporations."

"An act to incorporate the Twelfth Ward Savings Bank in the city of New York."

After some time spent therein the President resumed the chair, and Mr. Parmenter, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Parmenter, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

Mr. Lowery moved that the second named bill be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868; and also chapter 282 of Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said marsh-land company of moneys paid by them into the treasury of the State, in pursuance of said chapter 864 of the Laws of 1868," reported in favor of the passage of the same, with amendments, and amended the title thereof so as to read "An act to repeal sections 6, 8, 9, 10, 11, 12, 13, and 15, and the preamble of chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868; also chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said marsh-land company of moneys paid by them into the treasury of the State, in pur-

suance of said chapter 864 of the Laws of 1868," and said bill was committed to the committee of the whole.

Mr. Gross moved that when the Senate adjourns to-day it adjourn to meet on Monday evening next at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Booth presented the Fifty-seventh Annual Report of the Trustees of the New York State Library; which was laid upon the table and ordered printed.

(See Doc. No. 40.)

Mr. Booth offered the following :

Resolved, That 1,000 copies of the Report of the Trustees of the State Library be printed, of which 500 shall be bound, for the use of the library.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Lord offered the following :

Resolved (if the Assembly concur), That 1,000 copies of the Annual Report of the State Treasurer for the fiscal year 1874 be printed; 500 for the Legislature, and 500 copies for the use of the Treasurer.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Gross, the Senate adjourned.

MONDAY, FEBRUARY 8, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, February 5, was read and approved.

The Assembly sent for concurrence the bills entitled as follows :

"An act to provide more effectually for the punishment of speculation and other wrongs affecting public moneys and rights of property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the appointment of an additional assistant district attorney for the county of Kings, and for his compensation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the common council of the city of Lockport to raise by tax the sum of two thousand dollars to expend in repairing the Spaulding hose carriage house in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act in relation to proof of wills," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to repeal sections 6, 8, 9, 10, 11, 12, 13, and 15, and the preamble of chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868; also chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said marsh-land company of moneys paid by them into the treasury of the State, in pursuance of said chapter 864 of the Laws of 1868."

"An act to amend an act entitled 'An act to incorporate the Sisterhood of Grey Nuns in the State of New York,' passed April 6, 1871."

Assembly, "An act to provide payment for the services of certain officers and employees of the Assembly."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Johnson, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Johnson, the Senate adjourned.

TUESDAY, FEBRUARY 9, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The President presented a resolution of the Chamber of Commerce of the State of New York relative to the canals; which was laid upon the table and ordered printed.

(See Doc. No. 41.)

Mr. Parmenter presented a remonstrance from the board of trustees of the village of Greenbush against the continuance of the charter of the Greenbush Horse Railroad Company; which was read and referred to the committee on railroads.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to fix the compensation of overseers of the poor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to legalize and confirm the official acts of William Burr, a justice of the peace, of the town of Lindley, in the county of Steuben, and to enable him to take and file his oath of office."

"An act to amend an act entitled 'An act to incorporate the Sisterhood of Gray Nuns in the State of New York,' passed April 6, 1871."

"An act to repeal sections 6, 8, 9, 10, 11, 12, 13, and 15, and the preamble of chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868; also chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled An act to

authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said marsh-land company of moneys paid by them into the treasury of the State, in pursuance of said chapter 864 of the Laws of 1868."

"An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplementary thereto."

The bill entitled "An act to legalize and confirm the official acts of William Burr, a justice of the peace, of the town of Lindley, in the county of Steuben, and to enable him to take and file his oath of office," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Selkreg
Cole	Johnson	Madden	Thompson
Connelly	Kellogg	Middleton	Tobey
Dayton	King	Parmenter	Wellman
Dow	Laning	Ray	Wood
Fox	Lord	Robertson	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Sisterhood of Gray Nuns in the State of New York,' passed April 6, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Selkreg
Bradley	Gross	Middleton	Thompson
Cole	Johnson	Moore	Tobey
Connelly	Kellogg	Ray	Wellman
Dayton	King	Robertson	Wood
Dow	Laning		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplementary thereto," having been announced for a third reading,

On motion of Mr. Robertson, and by unanimous consent, the title of said bill was amended by striking out, in section 1, the words "chapter sixty of the Laws of eighteen hundred and thirteen is hereby amended as follows."

Also amend the title by striking out the words "and supplementary thereto."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Selkreg
Bradley	Jacobs	Middleton	Thompson
Cole	Kellogg	Moore	Tobey
Connelly	King	Ray	Wellman
Dayton	Laning	Robertson	Wood
Dow	Lord		

22

FOR THE NEGATIVE.

Johnson 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to repeal sections 6, 8, 9, 10, 11, 12, 13, and 15, and the preamble of chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868; also chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said marsh-land company of moneys paid by them into the treasury of the State, in pursuance of said chapter 864 of the Laws of 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Selkreg
Bradley	Kellogg	Middleton	Thompson
Cole	King	Moore	Tobey
Connelly	Laning	Ray	Wellman
Dayton	Lord	Robertson	Wood
Dow	Lowery		

22

FOR THE NEGATIVE.

Johnson 1

Mr. Jacobs moved that the vote by which said bill was passed be reconsidered, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to provide payment for the services of certain officers and employees of the Assembly," having been announced for a third reading,

Mr. Johnson moved that said bill be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate

existence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Madden asked and obtained leave to introduce a bill entitled "An act to amend the act relating to the assessment of real property in the several towns and wards of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Jacobs moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to repeal sections 6, 8, 9, 10, 11, 12, 13, and 15, and the preamble of chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868; also chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said marsh-land company of moneys paid by them into the treasury of the State, in pursuance of said chapter 864 of the Laws of 1868," was passed.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Jacobs then withdrew his motion to reconsider the vote.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Robertson moved that the President be empowered to declare a recess of the Senate upon the conclusion of the proceedings attending the reception of Mr. Bryant.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1, 1879."

Assembly, "An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued."

After some time spent therein the President resumed the chair, and Mr. Jacobs, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Jacobs, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to enable the Charity Foundation of the Protestant Episcopal Church, in the city of Buffalo, to sell and convey certain lands."

"An act to amend an act entitled 'An act to incorporate the city of Bing-hamton,' passed April 9, 1867, and the several acts amending the same."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

The hour of twelve o'clock having arrived, pursuant to resolution, Mr. Robertson, from the committee appointed for that purpose, introduced William Cullen Bryant, Esq., as follows:

MR. PRESIDENT — I have the honor to present to you the most eminent citizen of our State — I might say of our country — Mr. William Cullen Bryant.

The President arose and spoke as follows:

SENATORS — You have sought for this opportunity to pay a signal tribute of respect to one of your fellow-citizens. Honors like this have hitherto been reserved for those who have risen to eminence in the public service; nor do I recall an instance, in the history of any State where our language is spoken, where they have been conferred upon a man of letters. But henceforth it will be known that New York, recognizing that States are governed not by statutes alone, and still less by the sword, gives her highest honors to the poet as well as to the law-giver and the soldier.

I need not recall to you the career of your guest. Every American knows the incidents of that long and honorable life. Still less need I impress upon you the merits of his writings. You all remember the glowing words with which, in his youth, he taught "the love of nature" and the Christian's faith. You have all seen him, seated among the lengthening shadows of the evening, and heard him repeat, in English as pure as the English of Addison and Goldsmith, Homer's undying song.

I know that I utter your heartfelt wishes, when I express the hope that the blessings which have been so abundantly given to him may be continued, and that his life may still be spared to the country whose institutions he has defended, whose liberties he has widened, and whose glories he has increased.

Senators, I present to you William Cullen Bryant.

Mr. Bryant responded as follows:

MR. DORSHEIMER AND GENTLEMEN OF THE SENATE — You will pardon me if, on rising to say a few words in acknowledgment of the honor done me, I find myself somewhat embarrassed, which you will, I have no doubt, excuse on account of the novelty of the occasion. There is an old story, a story some two thousand years old, recorded in Greek, I believe (for the Greek literature has its jest books as well as the English), in which it is related that a man lost his little child and made a funeral. A considerable concourse came together of his friends and acquaintances, and, as he appeared before them, he made an apology for the smallness of the infant that was brought out, lamenting that he had nothing to show them for the purposes of burial, for the solemnities of the occasion, except the corpse of that little child.

I find myself in a similar condition. I see before me the representatives of different portions of our great, powerful, and populous State. I see men who come from our broad, fertile plains; from rich and beautiful valleys; from the grand and picturesque mountain regions of the north of the State; from the banks of our glorious rivers; from the borders of our immense lakes; from populous towns and pleasant villages; towns that are the seats of trade and industry; cities noisy with the bustle of

commerce, or resounding with the clash of looms or with the blows of ponderous hammers in our manufacturing establishments.

You come, gentlemen, as representatives of the art, of the wealth, and of the industry of this great State. On my part, I have nothing to offset against this great array, except what you see before you, and that is an object certainly disproportionately small compared with this imposing ceremony. I have nothing to say, therefore, except to return my thanks for the great honor you have done me, and add my wishes for your future career; my wishes that this session may prove honorable to yourselves, and useful to the community; that it may be closed with credit, and that it may be long remembered for the service it has done, and the benefits it has conferred on the State to which you belong.

The President then announced a recess of thirty minutes; at the expiration of which the Senate again met, and,

On motion of Mr. Fox, adjourned.

WEDNESDAY, FEBRUARY 10, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Robertson, from the committee on rules, to which was referred the Joint Rules of the Senate and Assembly as adopted by the Assembly, reported the same, with amendments, so as to read as follows :

JOINT RULES OF THE SENATE AND ASSEMBLY.

RULE 1. Each house shall transmit to the other all papers in which any bill or resolution shall be founded.

RULE 2. When a bill or resolution which shall have passed in one house shall be rejected in the other, notice thereof shall be given to the house in which the same may have passed.

RULE 3. Messages from one house to the other shall be communicated by their clerks respectively, unless the house transmitting the message shall specially direct otherwise.

RULE 4. It shall be in the power of either house to amend any amendment made by the other to any bill or resolution.

RULE 5. In every case of difference between the two houses, upon any subject of legislation, either house may request a conference, and appoint a committee for that purpose, and the other shall also appoint a committee to confer. The committee shall meet at such hour and place as shall be *appointed* by the *chairman* of the committee on the part of the house requesting such conference. The conferees shall state to each other verbally, or in writing, as either shall choose, the reasons of their respective houses, and confer freely thereon. The committee shall report, in *writing*, and shall be authorized to report such modifications or amendments as they think advisable. But no committee on conference shall consider or report on any matters except those directly at issue between the two houses. The papers shall be left with the conferees of the house assenting to such conference, and

they shall present the report of the committee to their house. When such house shall have acted thereon, they shall transmit the same, and the papers relating thereto, to the other, with a message certifying its action thereon. Every report of a committee of conference shall be read through, in each house, before a vote is taken on the same.

RULE 6. It shall be in order for either house to recede from any subject-matter of difference subsisting between the two houses at any time previous to conference, whether the papers on which such difference arose are before the house receding, formally or informally; and on such vote to recede, the same number shall be required to constitute a quorum to act thereon, and to assent to such receding, as was required on the original question out of which the difference arose.

RULE 7. After each house shall have adhered to their disagreement, the bill which is the subject of difference shall be deemed lost, and shall not again be revived during the same session in either house.

RULE 8. All joint committees of the two houses, and all committees of conference, shall consist of three senators and five members of assembly, unless otherwise specially ordered by concurrent resolution.

RULE 9. No bill which shall have passed one house shall have its final reading in the other in less than two days thereafter, without the consent of two-thirds of the members thereof present; and whenever ten or more bills shall be in readiness for final reading in either house, such house shall forthwith proceed to the final reading of such bills, under the order of "third reading of bills, and continue the same from day to day, until all such bills" then in readiness for final reading shall have been read, unless this order of business shall, by the vote of two-thirds of the members present, be suspended or laid on the table. All such bills shall have their last reading in each house in the order in which the same shall have been ordered to a final reading in such house, unless the bill to be read be laid on the table. In all cases where a bill shall be so ordered to lie on the table, it shall retain its place in the order of the final reading of bills, but shall not be called up for consideration unless by a vote of a majority of the members present.

RULE 10. The same bill shall not, specially or by name, create, renew or continue more than one incorporation, nor contain any provisions in relation to the altering of more than one incorporation by name; but this rule shall not be construed to apply to corporations to be formed under general laws according to the eighth article of the constitution, nor to bills for consolidating corporations. After any bill has been reported by a committee, no amendment shall be made thereto which introduces an entirely new and different subject-matter from the subject-matter of the bill reported.

RULE 11. Whenever there shall be an election of officers by the joint action of the two houses, the result shall be certified by the president of the senate and speaker of the assembly, and shall be reported by the presiding officer of each house to their respective houses, and be entered on the journals of each, and shall be communicated to the governor by the clerks of the two houses.

RULE 12. There shall be printed, of course, and without order, 639 copies of all original bills reported by committees of either house; and 800 copies of all messages from the governor (except messages certifying his approval of bills), all reports of standing or select committees, and all reports or communications made in pursuance of law;

and 796 copies of the journal of each house, which number shall be denominated the usual number.

RULE 13. Neither house shall order the printing or purchasing of books for the use of members or for distribution, except by joint resolution, upon which the ayes and noes shall be called, and which must receive the votes of a majority of each house; and no printing shall be done, by order of either house, which is not embraced in the contract for doing the public printing. Whenever either house shall order more than the usual number of any message or document, the fact shall be communicated immediately by message to the other. Whenever extra copies of any document, or publication of any kind, shall be ordered printed, the printer shall be authorized and required to deliver to the trustees of the state library at least five copies in addition to the number so ordered, for the use of the said library; and whenever more than five hundred copies are so ordered, the printer shall in like manner furnish five additional copies for each five hundred for the purpose of literary exchanges.

RULE 14. When the same document shall by separate orders be directed to be printed by both houses, it shall be regarded as but one order, unless otherwise expressly directed by either house.

RULE 15. In the distribution of documents, the governor and elective state officers, and state officers appointed by the governor and senate, or elected by joint or concurrent action of the two houses, adjutant-general and the clerks of the two houses, shall each have the same number as each of the members; and a specified number may be added for any committee, officer, or author of a document.

RULE 16. The superintendent of documents of each house shall receive from the printer all matter ordered by the respective houses, and shall keep a book and enter therein the time of reception by him of every such bill or document, and the number of copies received, and shall cause each and any of such bill or document to be immediately placed on the desks of the members.

RULE 17. There shall be printed six hundred and thirty-nine bills, and distributed as follows:

To the senate.....	150 copies.
To the assembly.....	450 copies.
To the state officers	28 copies.
To the state library.....	1 copy.
Retained to bind	10 copies.

There shall be printed three hundred and ten messages and documents, and distributed as follows:

To the senate	80 copies.
To the assembly	190 copies.
To state officers	30 copies.
To the state library	1 copy.

There shall be printed three hundred journals of each house, and distributed as follows:

To the senate	80 copies.
To the assembly	188 copies.
To the state officers.....	30 copies.
To the state library.....	2 copies.

There shall be printed to bind, four hundred and ninety-six journals of each house, and the same number of messages and documents, and distributed as follows:

For the senate.....	38 copies.
For the assembly	134 copies.
For senate library.....	16 copies.
For assembly library.....	50 copies.
For the counties and public officers.....	123 copies.
For literary and scientific exchanges, to be made by the regents of the university, including one copy for each state and territory and one copy for each of the regents who are not otherwise provided for	124 copies.
For state library.....	5 copies.

There shall also be printed and bound for the state library five copies of the Session Laws, and also of the journal of each house, and fifty-five copies of the same for the regents of the university, for the purpose of literary exchanges.

The clerk of each house shall forthwith, after the journal thereof of each day is approved, deliver a legible copy thereof to the printer for the two houses, who shall have the same printed and delivered to the sergeant-at-arms of each house within forty-eight hours thereafter.

RULE 18. There shall be a standing committee, consisting of three members of the senate and five members of the assembly, to be called the joint committee on the state library and cabinet of natural history.

RULE 19. The supply bill and the annual appropriation bill shall be reported by the fifteenth day of March, and printed immediately thereafter, and made the special order for the twenty-fifth day of March, or some day prior thereto, immediately after the reading of the journal.

RULE 20. No bill introduced after the fifteenth day of March in either house shall have its final reading in either house until all bills previously introduced in either, and sent from one house to the other house for concurrence and ready for third reading, shall be disposed of, unless by unanimous consent, except the supply bill and the annual appropriation bill; and the clerk of each house shall note on each engrossed bill the day on which it was introduced, and the day on which it was received from the other house, and shall announce such facts when the same is proposed to be read a third time.

RULE 21. When a bill originated in the senate or assembly shall have been lost in either house, neither the same, nor any other bill on the same subject, and containing similar provisions, shall be subsequently introduced into the senate or assembly during the same session, unless by unanimous consent.

RULE 22. The postmaster of each house shall weigh and stamp all documents sent by mail or express, and enter in a book to be kept by him for that purpose, the amount of postage or express charge thereon, and report to the clerk of the respective houses the aggregate thereof weekly; and the assistant postmaster of each house shall enter in a book to be kept by him for that purpose an accurate account of all documents, with the postage or express charges paid thereon, transmitted from the post-office of their respective houses by mail or express, and report the aggregate thereof weekly to the respective clerks of the senate and assembly; and the clerks of the senate and assembly shall, from time to time, furnish to the postmaster of each house respectively, the stamps requisite for carrying into execution this rule, and an account thereof shall be kept by them in books to be by them provided for that purpose; and the books kept by the postmaster and assistant postmaster, above specified, shall be, at all times, open to the inspection of the clerks and members of each house respectively.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Ordered, That the Clerk return said rules to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Wood rose to a question of privilege, and spoke as follows :

I rise to a question of privilege, for the first time in my life, although this is the tenth session of my legislative service. I wish to rise to a question of privilege in relation to statements that have been made relative to alleged alterations in the supply bill of last winter. When the charges were made, they were fully met through the public press, and, I supposed, to the satisfaction of everybody. I find that, from some omission to read, or a misapprehension, there is still in the minds of some the opinion that a wrongful act was committed in the insertion of the item defining the salary of the Superintendent of the New Capitol. If the act that is charged was committed, it was improper; and, to the end that the facts may be ascertained just as they were and given to this body and to the public, I am desirous that some one would move that a committee of investigation be appointed in relation to the insertion of that item.

If we have been guilty of anything wrong in the premises, I wish to know it. It was certainly unwittingly done, if done at all; but I believe nothing was done improperly, as I think every one will concede this to be so, when all the facts are known.

Mr. King offered the following:

Resolved, That a committee of three be appointed by the chair to investigate as to the alleged charge referred to by Mr. Wood, that in the supply bill of 1874 the salary of the Superintendent of the New Capitol building was improperly inserted.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President announced as such committee Messrs. King, Dow, and Parmenter.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the several acts relative to the city of Rochester,' passed May 20, 1872," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide more effectually for the punishment of pecculation and other wrongs affecting public moneys and rights of property," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to banks, banking associations, individual bankers, and other moneyed corporations," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parmenter, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the proof of wills," reported adversely thereto.

Mr. Parmenter moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Coe	Gross	Ledwith	Parmenter	
Dayton	Jacobs			6

FOR THE NEGATIVE.

Booth	Fox	Lord	Selkreg	
Bradley	Johnson	Lowery	Thompson	
Cole	Kellogg	Madden	Tobey	
Connelly	King	Ray	Wellman	
Dickinson	Laning	Robertson	Wood	
Dow				21

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the concurrent resolution in the words following :

Resolved (if the Assembly concur), That there shall be submitted to the people, at the next general election to be held in this State, a proposition to so amend the Constitution as to provide for adding, at the conclusion of section 17, the following words, to wit :

"But this, nor any other provision herein contained, shall be so construed as to limit or restrict the exercise of the law-making power in the passage of any act deemed necessary by the creation of corporations, or conferring authority on those now existing, or which may hereafter come into being under special or general laws, to provide for rapid transit by means of elevated, underground, or any other system of railways other than by tracks on the surface in any of the cities of this State; nor shall the Legislature be restrained from passing any act deemed necessary to provide for the improvement of the wharves, piers, and water front at any port of entry in this State, thereby securing needed terminal facilities at such ports."

Reported adversely thereto, which report was agreed to.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to extend the charter of the Orange County Mutual Insurance Company," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Cole, from the committee on canals, to which was referred the bill entitled "An act to amend chapter 805 of Laws of 1874, entitled 'An act to authorize the Canal Commissioners to build a road or street bridge over the Erie canal on Goodman street, at the east boundary line of the city of Rochester,' passed June 5, 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Cole, from the committee on canals, to which was referred the Assembly bill entitled "An act authorizing and empowering the board of public works of the city of Rochester to construct a turn-table or swing-bridge over the Genesee Valley canal in West avenue, in the city of Rochester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution relative to printing copies of the proceedings of the Senate commemorative of the Life and Services of Senator Ganson, reported in favor of the adoption of the following resolution :

Resolved, That 1,000 copies of the proceedings of the Senate commemorative of the Life and Services of Senator Ganson be printed for the use of the Senate, under the supervision of the Clerk of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to enable the Charity Foundation of the Protestant Episcopal Church, in the city of Buffalo, to sell and convey certain lands."

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same."

Mr. Booth presented the Eighty-eighth Annual Report of the Regents of the University of the State of New York; which was laid upon the table and ordered printed.

(See Doc. No. 43.)

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act amending, revising, and consolidating the several acts in relation to the village of Greenbush,' passed March 22 and April 29, 1863, passed April 25, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to authorize the village of Greenbush to issue bonds for the purpose of raising money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act for the relief of the grand-children of Samuel F. Pratt, late of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate public hydrants in said city, and providing for the appointment of water commissioners in said city,' passed June 25, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act further amending an act entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,' passed April 21, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act in relation to the keeping open of certain public offices in the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Lowery asked and obtained leave to introduce a bill entitled "An act to unify the supervisory departments of the

educational system of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The Assembly bill entitled "An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Robertson
Bradley	Johnson	Madden	Selkreg
Coe	Kellogg	Middleton	Thompson
Cole	King	Moore	Tobey
Connelly	Laning	Parmenter	Wellman
Dayton	Ledwith	Ray	Wood
Dow	Lord		

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to enable the Charity Foundation of the Protestant Episcopal Church, in the city of Buffalo, to sell and convey certain lands," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Gross	Madden	Selkreg
Coe	King	Middleton	Thompson
Cole	Laning	Moore	Wagner
Connelly	Ledwith	Parmenter	Wellman
Dayton	Lord	Ray	Wood

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Selkreg
Bradley	Jacobs	Lowery	Thompson
Cole	Johnson	Madden	Wagner
Connelly	Kellogg	Middleton	Wellman
Dickinson	King	Ray	Wood
Dow	Laning	Robertson	

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On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

Mr. Booth offered the following:

Resolved, That 1,500 copies of the Eighty-eighth Annual Report of the Regents of the University, and 600 copies of the Proceedings of the University Convocation for 1874 and 1875 be printed, in the usual form, for the use of the Regents.

Ordered, That said resolution be referred to the committee on public printing.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act authorizing the boards of town auditors in the several towns throughout the State to fix the compensation of the overseers of the poor in their respective towns."

"An act to amend an act entitled 'An act to regulate the size of apple, pear, and potato barrels,' passed May 12, 1862."

"An act to amend an act entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees, and other charges payable by insurance companies of sister States,' passed May 11, 1865."

After some time spent therein the President resumed the chair, and Mr. Fox, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Fox, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Fox, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Jacobs offered the following:

Resolved, That the Superintendent of the Banking Department be requested to ascertain and report to the Senate, with all convenient dispatch, the amount of deposits or balances in the several savings banks of this State which have remained unclaimed for a period of twenty years and upwards; also the amount of such deposits or balances which have remained unclaimed for ten years and upwards, and less than twenty years.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That 1,000 copies of the Report of the Adjutant-General be printed and bound for the use of the Adjutant-General's Department.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following:

Resolved (if the Senate concur), That 2,000 extra copies of the Annual Report of the Commissioners of Fisheries of the State of New York be printed for the use of the Legislature, and a similar number for said Commissioners.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act to amend an act entitled 'An act for the incorporation of library companies,' passed June 17, 1853," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act to enlarge the board of education in Union Free School district No. 6, in the town of Northfield, in the county of Richmond, and to change the name of said district, and to authorize said board of education to sell and convey to the purchaser thereof the present school-house and site, and also to purchase a new site for a school-house in said district, and to erect thereon a new school-house, and to provide for the raising of money therefor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings, and proceedings of the courts of this State,' known as the 'Code of Procedure.'"

"An act to amend section 6 of title 2, chapter 10 of part 3 of the Revised Statutes concerning security for the payment of costs."

"An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks, and promissory notes."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Bradley, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Kellogg moved that the Senate do now go into executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and

On motion Mr. Kellogg, the Senate adjourned.

THURSDAY, FEBRUARY 11, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Selkreg presented a petition of residents of Enfield in favor of an amendment to the Military Code repealing exemption from taxation, and for paying the National Guard; which was read and referred to the committee on the militia.

Mr. Parmenter presented a petition of tax-payers of the village of Greenbush for an amendment to the charter, in order to raise money to pay certain claims; which was read and referred to the committee on the affairs of villages.

Mr. Lowery, from the committee on manufactures, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 1, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act further amending an act entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,' passed April 21, 1871," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the appointment of an additional assistant district attorney for the county of Kings, and for his compensation," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the appointment of clerk to the surrogate's court," reported adversely thereto.

Mr. Bradley moved to disagree with the report of the committee, and that the same be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the sale of real estate, or any interest in real estate, owned or possessed by any city," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act amendatory of the several

acts relating to Washington park in the city of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Lockport to raise by tax the sum of two thousand dollars to expend in repairing the Spaulding Hose Carriage house in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to regulate the size of apple, pear, and potato barrels,' passed May 12, 1862."

"An act to amend an act entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees, and other charges payable by insurance companies of Sister States,' passed May 11, 1865."

Mr. Wellman presented the Report of the Dental Society of the State of New York; which was laid upon the table and ordered printed.

(See Doc. No. 45.)

The Assembly sent for concurrence the following resolution:

Resolved (if the Senate concur), That there be printed and bound in cloth for the use of this Legislature, by the legislative printer, 5,000 copies of the Report on the Topographical Survey of the Adirondack Wilderness, sent to the Legislature of 1874, and the expense thereof, not to exceed one dollar and fifty cents per copy, to be paid out of the appropriation for legislative printing.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly returned the report of the committee on Joint Rules, with a message that they had concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said Joint Rules to the Assembly.

The Assembly sent for concurrence the resolutions in the words following:

Whereas, The commercial interests of the whole country, and especially of the city and State of New York, demand the early improvement of the East river from the southern end of Blackwell's Island to a point off Corlear's Hook, so as to afford a safe and convenient navigation for vessels of all classes bound for the ports on the Long Island Sound and the Eastern States; therefore,

Resolved (if the Senate concur), That improvements be made on said river, so as to enable vessels drawing a heavy draught of water to pass through at all tides.

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence for an early improvement of said river, and make necessary appropriations requisite for the completion of such improvement.

Resolved (if the Senate concur), That a copy of these resolutions, properly signed, be sent to our Representatives in Senate and Congress.

Ordered, That said resolutions be laid upon the table.

Mr. King moved that said resolutions be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the town of Richmond, in the county of Ontario, to raise money to build a town house," which was read the first time, and by unanimous consent was also read the second time.

Mr. Robertson moved that the rules be suspended, and that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

"An act in relation to the Board of Commissioners of Emigration," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Madden asked and obtained leave to introduce a bill entitled "An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Ithaca Mechanics' Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wellman offered the following :

Resolved, That 1,000 copies of the Report of the State Dental Society be printed for the use of the society.

Ordered, That said resolution be referred to the committee on public printing.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate existence," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act to amend section 6 of title 2, chapter 10 of part 3 of the Revised Statutes concerning security for the payment of costs," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Selkreg	
Cole	King	Middleton	Thompson	
Dickinson	Laning	Parmenter	Wagner	
Dow	Ledwith	Ray	Wellman	
Fox	Madden	Robertson	Wood	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to amend an act entitled 'An act to regulate the size of apple, pear, and potato barrels,' passed May 12, 1862," having been announced for a third reading,

On motion of Mr. Cole, and by unanimous consent, was amended as follows:

Section 1, line 12, printed bill, strike out the word "fine," and insert in lieu thereof the word "penalty."

Add, at the end of the same section, the words "to be sued for and recovered by any person aggrieved thereby for the use of the poor of the town or county as the case may be."

Add, as section 2, the following :

"§ 2. In any action arising for violations of the provisions of this act any justice of the peace, in the county where the violations of this act shall have been committed, shall have jurisdiction to try and determine the same."

Add, as section 3, the following :

"§ 3. This act shall take effect on the first day of June, eighteen hundred and seventy-five."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Parmenter	
Bradley	Dow	Lowery	Selkreg	
Cole	Fox	Madden	Thompson	
Connelly	King	McGowan	Wagner	
Dayton	Laning	Middleton	Wood	20

FOR THE NEGATIVE.

Jacobs	Robertson	Wellman		3
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks, and promissory notes," having been announced for a third reading,

Mr. Jacobs moved that said bill be recommitted to the committee on the judiciary, with instructions to amend as follows :

Section 1, lines 4 and 5, printed bill, insert the words "the day commonly known as Good Friday."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Parmenter	
Connelly	Jacobs	Lord	Robertson	
Dayton	King	Moore	Tobey	
Fox	Laning			14

FOR THE NEGATIVE.

Booth	Kellogg	Middleton	Wagner	
Cole	Lowery	Ray	Wellman	
Dickinson	Madden	Selkreg	Wood	
Dow	McGowan	Thompson		15

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Tobey
Bradley	Gross	McGowan	Wagner
Cole	Jacobs	Middleton	Wellman
Connelly	King	Robertson	Wood
Dow	Ledwith	Thompson	

19

FOR THE NEGATIVE.

Madden	Ray	Selkreg	
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees, and other charges payable by insurance companies of sister States,' passed May 11, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	McGowan	Thompson
Bradley	Gross	Middleton	Tobey
Cole	Kellogg	Moore	Wagner
Connelly	King	Parmenter	Wellman
Dickinson	Laning	Robertson	Wood
Dow	Ledwith	Selkreg	

23

FOR THE NEGATIVE.

Madden	Ray		
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings, and proceedings of the courts of this State,' known as the 'Code of Procedure,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Bradley	Jacobs	McGowan	Selkreg
Cole	Kellogg	Middleton	Thompson
Connelly	King	Moore	Tobey
Dayton	Laning	Parmenter	Wellman
Dow	Ledwith	Ray	Wood
Fox	Lord		

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Middleton moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to change the name of the Black River Insurance Company, New York," and that the same be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act in relation to banks, banking associations, individual bankers, and other moneyed corporations."

"An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864."

"An act to amend chapter 605 of the Laws of 1874, entitled 'An act to authorize the Canal Commissioners to build a road or street bridge over the Erie canal, on Goodman street, at the east boundary line of the city of Rochester,' passed June 3, 1874."

After some time spent therein the President resumed the chair, and Mr. Dayton, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Dayton, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to authorize the town of Richmond, in the county of Ontario, to raise money to build a town house."

"An act authorizing and empowering the board of public works of the city of Rochester to construct a turn-table or swing-bridge over the Genesee Valley canal, in West avenue, in the city of Rochester."

"An act to provide more effectually for the punishment of speculation and other wrongs affecting public moneys and rights of property."

After some time spent therein the President resumed the chair, and Mr. King, from said committee, reported in favor of the passage of the first named bill, which report was agreed to.

Mr. Robertson moved that the rules be suspended, and that said bill be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Selkreg
Cole	King	McGowan	Thompson
Connelly	Laning	Middleton	Tobey
Dayton	Ledwith	Parmenter	Wagner
Dickinson	Lord	Ray	Wellman
Dow	Lowery	Robertson	Wood
Fox			

On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

Mr. King, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. King, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings, and proceedings of the courts of this State,' known as the 'Code of Procedure,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Madden asked and obtained leave to introduce a bill entitled "An act authorizing and requiring the New York Elevated Railroad Company to continue and complete its railroad in the city of New York, and to regulate the construction, operation, and management thereof," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Jacobs moved that the Senate resolve itself into a committee of the whole upon the Assembly bill entitled "An act to provide for the appointment of an additional assistant district attorney for the county of Kings, and for his compensation."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill; and,

After some time spent therein, the President resumed the chair, and Mr. Tobey, from said committee, reported in favor of the passage of said bill, which report was agreed to, and the same ordered to a third reading.

Mr. Lowery moved that the bill entitled "An act to amend the charter of the American Institute of the city of New York," be recommitted to the committee on manufactures, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Madden, the Senate adjourned.

FRIDAY, FEBRUARY 12, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to permit the Albany and Round Lake Plankroad Company to borrow money, and make alterations and improvements," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the charter of the Ithaca Mechanics' Society," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide payment for the services of certain officers and employees of the Assembly," reported in favor of the passage of the same, with amendments, and said bill was ordered to a third reading.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof and for appeals therefrom," reported that they have had the same under consideration, made some amendments thereto, and amended the title thereof so as to read "An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof," and have directed their chairman to report the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the rights and liabilities of married women," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Booth, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate public hydrants in said city, and providing for the appointment of water commissioners in said city,' passed June 25, 1873," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on public health, to which was referred the bill entitled "An act to amend chapter 436 of the Laws of 1874,

entitled 'An act to amend the practice of medicine and surgery in the State of New York,' reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,' " reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Cole, from the standing committee on privileges and elections, to which was referred the petition of Walter S. Pinckney claiming the seat of Hon. Hugh H. Moore as Senator from the Eighth Senatorial district, presented the following

REPORT:

To the Senate:

The committee on privileges and elections, to which were referred the matters presented by the petition of Walter S. Pinckney, and the answer thereto of Hugh H. Moore, relating to the election of Senator in and for the Eighth Senate district, beg leave to report:

That they have taken the proofs and heard arguments of counsel on both sides of the controversy so referred, and fully and carefully considered the same, with a view to ascertain who was elected Senator in and for the Eighth Senate district, at the election of November, 1873, whereby it appears, and your committee have been brought to the conclusion that Walter S. Pinckney was not, but that Hugh H. Moore was elected Senator, at that election, in and for that district; and that the latter was, by the legal votes of the electors of the district, entitled to the certificate produced by the official canvass of that election.

And, inasmuch as it has been alleged, and some evidence has been given tending to show irregularities at some of the polling places in that district at such election, your committee deem it but just to Mr. Moore, who represents that district in the Senate, to add that, during the investigation, which was full and thorough, nothing appeared to cast any reflection or imputation upon him of any act of impropriety on his part; and your committee, by their examination of the matter, are satisfied that he, in no manner, caused, consented to, or countenanced any improper action or irregularities at such election, and that they can say no less in behalf of Mr. Pinckney.

Your committee, therefore, recommend the adoption of the following preamble and resolution:

Whereas, The matter of the petition of Walter S. Pinckney relating to the election of Senator in and for the Eighth Senate district having been investigated and duly considered, and it appearing that the allegations of the petition are not sustained; therefore,

Resolved, That Hon. Hugh H. Moore was duly elected Senator in and for the Eighth Senate district, at the election of November 5, 1873, and is entitled to retain his seat in the Senate as the representative of that district.

All which, with the evidence taken by your committee, is submitted.

DAN H. COLE,
F. W. TOBEY,
GEO. B. BRADLEY.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

(See Doc. No. 47.)

Mr. McGowan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864."

"An act to amend chapter 805 of the Laws of 1874, entitled 'An act to authorize the Canal Commissioners to build a road or street bridge over the Erie canal, on Goodman street, at the east boundary line of the city of Rochester,' passed June 5, 1874."

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to prohibit fishing near any fish-way established by the State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting him to return Assembly bill (not printed) entitled "An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued," for reconsideration and amendment.

On motion of Mr. Lowery, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto :

"An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks, and promissory notes."

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act for continuing and regulating a ferry across the Hudson river, in the town of Philipstown, in the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to release certain lands which have escheated to the State to Eliza Blain, widow of John Blain, late of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Wellman asked and obtained leave to

introduce a bill entitled "An act to authorize cities, towns, and villages to establish and maintain free public libraries and reading rooms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Wellman asked and obtained leave to introduce a bill entitled "An act for the relief of John Hay and others claiming as heirs of John G. Leake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly bill entitled "An act authorizing and empowering the board of public works of the city of Rochester to construct a turn-table or swing-bridge over the Genesee Valley canal, in West avenue, in the city of Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Robertson
Bradley	Fox	Lowery	Selkreg
Coe	Jacobs	McGowan	Thompson
Connelly	King	Middleton	Tobey
Dayton	Laning	Ray	Wellman
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Ray
Bradley	Fox	Lord	Robertson
Cole	Jacobs	McGowan	Selkreg
Connelly	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wellman
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 605 of the Laws of 1874, entitled 'An act to authorize the Canal Commissioners to build a road or street bridge over the Erie canal, on Goodman street, at the east boundary line of the city of Rochester,' passed June 5, 1874," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Ray
Bradley	Fox	Lowery	Robertson
Cole	King	McGowan	Selkreg
Connelly	Laning	Middleton	Thompson
Dayton	Ledwith	Parmenter	Wellman
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Fox moved that when the Senate adjourns to-day it adjourns to meet on Monday evening next at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wellman offered the following :

Resolved (if the Assembly concur), That 1,000 copies of the Transactions of the National Prison Congress for 1874 be purchased of the Secretary of the National Prison Association of the United States, at a cost not to exceed two dollars per volume, to be distributed as follows : One copy to each member and officer of the Legislature ; one copy to each State officer of this State ; one copy to each of the county officers (for the use of their offices) of each county of this State ; one copy to each of the penal, reformatory, and charitable institutions of this State, and to each of the executive officers thereof ; and the remainder, if any, among the more considerable libraries of this State one copy to each.

Ordered, That said resolution be laid upon the table.

Mr. King called from the table the resolutions in the words following :

Whereas, The commercial interests of the whole country, and especially of the city and State of New York, demand the early improvement of the East river from the southern end of Blackwell's Island to a point off Corlear's Hook, so as to afford a safe and convenient navigation for vessels of all classes bound for the ports on the Long Island Sound and the Eastern States ; therefore,

Resolved (if the Senate concur), That improvements be made on said river, so as to enable vessels drawing a heavy draught of water to pass through at all tides.

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence for an early improvement of said river, and make necessary appropriations requisite for the completion of such improvement.

Resolved (if the Senate concur), That a copy of these resolutions, properly signed, be sent to our Representatives in Senate and Congress.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

Ordered, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Middleton offered the following :

Resolved, That the Clerk of the Senate be and he is hereby directed to issue to each officer and reporter of the Senate the usual order for stationery to the amount of thirty dollars."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Robertson
Bradley	Fox	Ledwith	Selkreg
Cole	Jacobs	McGowan	Thompson
Connelly	King	Middleton	Wellman
Dayton			

17

FOR THE NEGATIVE.

Dow	Lord	Ray	3
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When the name of Mr. Lord was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the negative.

Mr. Lord subsequently voted in the negative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act in relation to banks, banking associations, individual bankers, and other moneyed corporations."

"An act to enlarge the board of education in Union Free School district No. 6, in the town of Northfield, in the county of Richmond, and to change the name of said district, and to authorize said board of education to sell and convey to the purchaser thereof the present school-house and site, and also to purchase a new site for a school-house in said district, and to erect thereon a new school-house, and to provide for the raising of money therefor."

Assembly, "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860."

After some time spent therein the President resumed the chair, and Mr. Cole, from said committee, reported in favor of the passage of the first named bill, with amendments, and the title thereof amended by inserting, after the word "to," the words "the reduction of the capital stock of;" and adding, at the end of the title, the words "and for other purposes," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cole, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Jacobs moved that said bill be recommitted to the committee on literature, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cole, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to provide more effectually for the punishment of speculation and other wrongs affecting public moneys and rights of property."

"An act to authorize the common council of the city of Lockport to raise by tax the sum of two thousand dollars to expend in repairing the Spaulding Hose Carriage house in said city."

After some time spent therein the President resumed the chair, and Mr. Booth, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Booth, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

A message from the Assembly was received and read, as follows:

IN ASSEMBLY, Feb. 12, 1875.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. J. W. Miller, and by unanimous consent, the same was amended as follows:

In section 4, line 10, after the words "semi-annually," insert the words "at a rate not exceeding seven per cent."

And as amended passed, and ordered sent to the Senate for concurrence.

By order,

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Bradley	Gross	Lowery	Selkreg
Cole	King	McGowan	Thompson
Connelly	Laning	Middleton	Wellman
Dayton	Ledwith	Ray	Wood
Dickinson			

21

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Bradley	Fox	Lowery	Selkreg
Cole	King	McGowan	Thompson
Connelly	Laning	Middleton	Wellman
Dickinson	Ledwith	Ray	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution relative to printing extra copies of the Report of the Willard Asylum, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That 1,000 extra copies, with covers, of the Report of the Willard Asylum be printed for the use of the officers of the Asylum.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson	
Bradley	Fox	Lowery	Selkreg	
Cole	King	McGowan	Thompson	
Connelly	Laning	Middleton	Wellman	
Dickinson	Ledwith	Ray	Wood	20

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Annual Report of the State Treasurer, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That 1,000 copies of the Annual Report of the State Treasurer for the fiscal year 1874 be printed ; 500 for the Legislature, and 500 copies for the use of the Treasurer.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Robertson	
Bradley	Fox	Lord	Selkreg	
Cole	Jacobs	Lowery	Thompson	
Connelly	King	McGowan	Wellman	
Dickinson	Laning	Ray	Wood	20

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Fourth Annual Report of the Trustees of the New York State Homœopathic Asylum, reported in favor of the adoption of the following resolution :

Resolved (if the Senate concur), That 2,000 extra copies of the Fourth Annual Report of the Trustees of the New York State Homœopathic Asylum for the Insane be printed ; 1,000 copies for the use of the Trustees, and 1,000 copies for the use of the members of the Legislature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Robertson	
Bradley	Fox	Lord	Selkreg	
Cole	Jacobs	Lowery	Thompson	
Connelly	King	McGowan	Wellman	
Dickinson	Laning	Ray	Wood	20

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Adjutant-General, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That 1,000 copies of the Report of the Adjutant-General be printed and bound for the use of the Adjutant-General's Department.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Selkreg
Bradley	Jacobs	Lowery	Thompson
Cole	King	Ray	Wellman
Connelly	Laning	Robertson	Wood
Dow			

17

FOR THE NEGATIVE.

Dickinson

1

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Annual Report of the Regents of the University, reported in favor of the adoption of the following resolution:

Resolved, That 1,500 copies of the Eighty-eighth Annual Report of the Regents of the University, and 500 copies of the Proceedings of the University Convocation for 1874 and 1875 be printed, in the usual form, for the use of the Regents.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Selkreg
Bradley	Fox	Lowery	Thompson
Cole	Jacobs	Ray	Wellman
Connelly	King	Robertson	Wood
Dickinson	Laning		

18

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Trustees of the State Library, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 copies of the Report of the Trustees of the State Library be printed, of which 500 shall be bound, for the use of the library.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Robertson
Bradley	Fox	Lord	Selkreg
Cole	Jacobs	Lowery	Thompson
Connelly	King	Parmenter	Wellman
Dickinson	Laning	Ray	Wood

20

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the State Assessors, reported in favor of the adoption of the following resolutions:

Resolved (if the Assembly concur), That 5,000 extra copies of the report of the State Assessors be printed for distribution among the supervisors and assessors of the various towns, cities, and villages of the State; said copies shall be distributed by the Secretary of State, so that each supervisor and assessor aforesaid shall receive one copy of said report.

Resolved (if the Assembly concur), That 2,000 extra copies be printed for the use of the Legislature, and 1,000 extra copies for the use of the State Assessors.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Robertson
Bradley	Fox	Lord	Selkreg
Cole	Jacobs	Lowery	Thompson
Connelly	King	Parmenter	Wellman
Dickinson	Laning	Ray	Wood
			20

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Survey of the Adirondacks, reported the same for the consideration of the Senate, as follows:

Resolved (if the Senate concur), That there be printed and bound in cloth for the use of this Legislature, by the legislative printer, 5,000 copies of the Report on the Topographical Survey of the Adirondack Wilderness, sent to the Legislature of 1874; and that the expense thereof, not to exceed one dollar and fifty cents per copy, to be paid out of the appropriation for legislative printing.

Mr. Cole moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Annual Report of the New York State Lunatic Asylum, reported in favor of the adoption of the following resolution:

Resolved (if the Assembly concur), That 3,000 copies of the Annual Report of the Board of Managers of the New York State Lunatic Asylum, at Utica, be printed; 2,000 for the use of the Managers, and 1,000 for the Legislature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Robertson
Bradley	Jacobs	Lord	Selkreg
Cole	King	Lowery	Wellman
Connelly	Laning	Ray	Wood
Dow			

17

FOR THE NEGATIVE.

Dickinson

1

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Western House of Refuge, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That there be printed 2,500 copies of the Report of the Western House of Refuge for the use of the Managers of that institution.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Selkreg
Bradley	King	Lowery	Thompson
Cole	Laning	Ray	Wellman
Connelly	Ledwith	Robertson	Wood
Dow			

17

FOR THE NEGATIVE.

Dickinson	Fox		
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3

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Reports and Testimony taken by the Commissioners appointed by His Excellency, the late Governor, to investigate the management of the Cornell University, reported in favor of the adoption of the following resolution :

Resolved (if the Senate concur), That 500 copies of the Reports and Testimony taken by the Commissioners appointed by His Excellency, the late Governor, to investigate and report upon the disposition and management of the Cornell University Land Grant, be printed for the use of the Legislature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Ray	Tobey
Cole	Laning	Robertson	Wellman
Dickinson	Ledwith	Selkreg	Wood
Dow	Lord		

14

FOR THE NEGATIVE.

Booth	Fox	Jacobs	
-------	-----	--------	--

3

Mr. Laning moved to reconsider the vote by which said report was disagreed to, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Commissioners of Fisheries, reported in favor of the adoption of the following resolution :

Resolved (if the Senate concur), That 2,000 extra copies of the Annual Report of the Commissioners of Fisheries of the State of New York be printed for the use of the Legislature, and a similar number for said Commissioners.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Thompson
Bradley	Jacobs	Ray	Tobey
Cole	King	Robertson	Wellman
Connelly	Laning	Selkreg	Wood
Dickinson	Ledwith		

18

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print the annotated edition of the Amended Constitution of the State of New York, reported the same for the consideration of the Senate, as follows:

Resolved (if the Assembly concur), That there be provided for the use of the members of the Senate and Assembly 2,000 copies of the annotated edition of the Amended Constitution of the State of New York, printed by Griffith & Byrnes, of New York, at a cost not exceeding fifty cents to the public.

Mr. Tobey moved to lay said report upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Annual Report of the Astor Library, reported the same for the consideration of the Senate, as follows:

Resolved, That 750 copies of the Annual Report of the Astor Library, for the year 1874, be printed for the Astor Library for its foreign and domestic exchanges, on fine paper, as heretofore.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE NEGATIVE.

Booth	Dow	Laning	Robertson
Bradley	Fox	Ledwith	Selkreg
Cole	Jacobs	Lord	Wellman
Dickinson	King	Lowery	Wood

16

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Superintendent of Public Instruction and the Regents of the University on the New York State Normal School, reported the same for the consideration of the Senate, as follows:

Resolved (if the Senate concur), That 1,500 of the Annual Report of the Superintendent of Public Instruction and the Regents of the University on the New York State Normal School, at Albany, be printed for the use of such school.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE NEGATIVE.

Booth	Dow	Ledwith	Selkreg
Bradley	Fox	Lowery	Tobey
Cole	Jacobs	Ray	Wellman
Connelly	King	Robertson	Wood
Dickinson	Laning		

18

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the State Dental Society, reported the same for the consideration of the Senate, as follows:

Resolved (if the Assembly concur), That 1,000 copies of the Report of the State Dental Society be printed for the use of the Society.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Wellman	Wood	2
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FOR THE NEGATIVE.

Bradley	Dow	Laning	Robertson
Cole	Fox	Ledwith	Selkreg
Connelly	Jacobs	Lowery	Tobey
Dickinson	King		
			14

Mr. Wellman moved to reconsider the vote by which said report was non-concurred in, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Booth	Wellman	Wood	3
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FOR THE NEGATIVE.

Bradley	Dow	King	Lowery
Cole	Fox	Laning	Robertson
Connelly	Jacobs	Ledwith	Tobey
Dickinson			
			18

Mr. Wellman then withdrew his motion to reconsider the vote.

Mr. Laning moved that the Senate do now go into executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Dickinson, the Senate adjourned.

MONDAY, FEBRUARY 15, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, February 12, was read and approved.

Mr. McGowan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act in relation to the reduction of the capital stock of banks, banking associations, individual bankers, and other moneyed corporations, and for other purposes."

The Assembly sent for concurrence a resolution, in the words following:

Whereas, By the United States homestead law of 1872 those entitled to its privileges are obliged to settle on the land selected by them within six months after such selection; and,

Whereas, By reason of this provision a large majority of soldiers, wishing to avail themselves of said law, are virtually deprived of all its benefits, including those who are at present pecuniarily unable to move west, those who have children too small to withstand the hardships of a new country, or of an age when such removal would deprive them of necessary educational facilities, those who are engaged in business which they cannot immediately leave without special loss, and those who, for other reasons, are not able to make so important a change for some time to come; the whole of whom, by reason of such delay in removal, would find all desirable and conveniently located land already taken up; therefore, in order to meet these numerous cases, and that those whose valor and sacrifices preserved to the nation all its territory may have the benefit of a small portion for actual settlement and the support of their families,

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to favor, with their influence and their votes, the passage of an amendment to the homestead law extending the time for the actual occupation of land selected by soldiers to ten years from the time of such selection.

Ordered, That said resolution be laid upon the table.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act in relation to the county court-house and jail in Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act in relation to the collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. King offered the following:

Resolved, That the committee of the Senate, appointed to investigate in relation to an item in the supply bill of 1874, have power to send for persons and papers.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate existence."

"An act further amending an act entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,' passed April 21, 1871."

"An act to amend the charter of the Ithaca Mechanics' Society."

After some time spent therein the President resumed the chair, and Mr. Kellogg, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate public hydrants in said city, and providing for the appointment of water commissioners in said city,' passed June 25, 1873."

"An act to amend chapter 436 of the Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York,' passed May 11, 1874."

"An act to prohibit fishing near any fish-way established by the State."

After some time spent therein the President resumed the chair, and Mr. Fox, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Fox, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Fox, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows:

"An act amendatory of the several acts relating to Washington park in the city of Albany."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of said named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Fox, the Senate adjourned.

TUESDAY, FEBRUARY 16, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the New York Institution for the Blind, reported in favor of the adoption of the following resolution:

Resolved (if the Assembly concur), That 2,000 copies of the Report of the New York State Institution for the Blind be printed for the use of the Trustees of said institution.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Bradley	Kellogg	McGowan	Selkreg
Cole	King	Parmenter	Tobey
Connelly	Laning	Ray	Wood
Dow			

17

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act passed May 27, 1873, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lowery, from the committee on manufactures, to which was referred the bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend the charter of the Ithaca Mechanics' Society."

"An act to amend an act entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate public hydrants in said city, and providing for the appointment of water commissioners in said city,' passed June 25, 1873."

"An act further amending an act entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,' passed April 21, 1871."

"An act to prohibit fishing near any fish-way established by the State."

"An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate existence."

The Assembly sent for concurrence the bill entitled as follows:

"An act to authorize the city of Rochester to issue its bonds for the construction of a new school building," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to release the interest of the people of the State of New York to Fritz Fanger, husband of Wilhelmina Fanger, deceased, in and to certain real estate situate in the town of Newtown, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise

and consolidate the several acts relating to public instruction,' passed May 7, 1864, as amended by chapter 406 of the Laws of 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to provide for the compensation of clerk to surrogate courts in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof, passed June 28, 1873, and to further amend the charter of the city of Brooklyn, passed June 1, 1874,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to authorize the New York and Hudson Steamboat Company to mortgage its property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act in relation to the treatment of animals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act for the extension of plankroads and turnpikes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act in relation to the reduction of the capital stock of banks, banking associations, individual bankers, and other moneyed corporations, and for other purposes," having been announced for a third reading,

On motion of Mr. Lowery, and by unanimous consent, was amended as follows:

Section 6, line , engrossed bill, strike out the word "five," and insert in lieu thereof the word "ten."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Gross	McGowan	Selkreg
Cole	King	Parmenter	Tobey
Dayton	Laning	Ray	Wood
Dickinson	Lord		

18

FOR THE NEGATIVE.

Jacobs

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act supplementary to an act, passed May 20, 1872, entitled 'An act to amend the several acts relating to the city of Rochester,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and three-fifths of all the members elected to the Senate not being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Ray
Bradley	Dow	Lord	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	Kellogg	McGowan	Wood
Dayton	King	Parmenter	

19

Said bill was laid upon the table.

The Assembly bill entitled "An act to authorize the common council of the city of Lockport to raise by tax the sum of \$2,000 to expend in repairing the Spaulding hose carriage in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	King	Ray
Bradley	Dow	Laning	Robertson
Cole	Gross	Lord	Selkreg
Connelly	Jacobs	Lowery	Tobey
Dayton	Kellogg	Parmenter	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide more effectually for the punishment of peculation and other wrongs affecting public moneys and rights of property," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Gross	Lord	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	Kellogg	McGowan	Tobey
Dickinson	King	Parmenter	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Robertson
Bradley	Dow	Lord	Selkreg
Cole	Kellogg	Lowery	Tobey
Connelly	King	McGowan	Wood
Dayton	Laning	Parmenter	

19

FOR THE NEGATIVE.

Gross	
-------	--

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same

The bill entitled "An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled "An act for the incorporation of companies formed to navigate the lakes and rivers," passed April 15, 1854, to extend the term of their corporate existence," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Ray
Bradley	Dow	Lord	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	King	McGowan	Tobey
Dayton	Laning	Parmenter	Wood

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act, entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate public hydrants in said city, and providing for the appointment of water commissioners in said city,' passed June 25, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Ray
Bradley	Gross	Lord	Robertson
Cole	Johnson	Lowery	Selkreg
Connelly	King	McGowan	Tobey
Dayton	Laning	Parmenter	Wood
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Ithaca Mechanics' Society," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Gross	Ledwith	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	Johnson	McGowan	Tobey
Dayton	King	Parmenter	Wood
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act further amending an act, entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,' passed April 21, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Ray
Bradley	Gross	Lord	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	Johnson	McGowan	Tobey
Dayton	King	Parmenter	Wood
Dickinson	Laning		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Lord moved to take from the table the motion to reconsider the vote by which the bill entitled "An act supplementary to an act passed May 20, 1872, entitled 'An act to amend the several acts relating to the city of Rochester,'" was lost.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Ray
Bradley	Gross	Lord	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	Johnson	McGowan	Tobey
Dayton	King	Parmenter	Wood
Dickinson	Laning		

22

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Ray
Bradley	Dow	Lord	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Johnson	McGowan	Tobey
Dayton	King	Parmenter	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide payment for the services of certain officers and employees of the Assembly," having been announced for a third reading,

Mr. Johnson moved that said bill be recommitted to the committee on finance, with instructions to strike out the second section.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	McGowan
Bradley	Gross	Ledwith	Robertson
Cole	Jacobs	Lord	Selkreg
Connelly	Kellogg	Lowery	Wood
Dickinson	King		

18

FOR THE NEGATIVE.

Johnson	Parmenter	Ray
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3

On motion of Mr. Wood, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to prohibit fishing near any fish-way established by the State," having been announced for a third reading,

On motion of Mr. Johnson, and by unanimous consent, was amended as follows :

Section 1, line 2, printed bill, after the word "erect," insert the words "and maintain."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Laning	Parmenter	
Bradley	Jacobs	Ledwith	Ray	
Cole	Johnson	Lord	Robertson	
Connelly	Kellogg	Lowery	Selkreg	
Dow	King	McGowan	Wood	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Connelly moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872," and that it be recommitted to the committee on the affairs of cities, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act authorizing the boards of town auditors, in the several towns throughout the State, to fix the compensation of the overseers of the poor in their respective towns."

"An act to amend an act entitled 'An act for the incorporation of library companies,' passed June 17, 1853."

"An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 1, 1868."

After some time spent therein the President resumed the chair, and Mr. Jacobs, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. Ray moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be recommitted to the committee on internal affairs, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Jacobs, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Lowery offered the following:

Resolved, That the testimony taken and to be taken in the investigation of the affairs of the New Capitol Commission be printed and placed on the files of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Lord moved that the Assembly bill entitled "An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh.'"

Assembly, "An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election."

"An act to amend chapter 436 of the Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York,' passed May 11, 1874."

After some time spent therein the President resumed the chair, and Mr. Dickinson, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dickinson, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Dickinson, from the same committee, reported progress on the the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to permit the Albany and Sandlake Plankroad Company to borrow money and make alterations and improvements."

After some time spent therein, the President resumed the chair, and Mr. Gross, from said committee, reported in favor of the passage of said named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Johnson, the Senate adjourned.

WEDNESDAY, FEBRUARY 17, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Lord presented a petition of the Women's Temperance Union of Rochester for restricting the sale of spirituous liquors; which was read and referred to the committee on internal affairs.

Mr. Cole presented a remonstrance of citizens of Byron, Genesee county, against the enactment of any law regulating the practice of medicine as suggested by the law of 1873; which was read and referred to the committee of the whole.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act for the incorporation of library companies,' passed June 17, 1853."

"An act to permit the Albany and Sandlake Plankroad Company to borrow money and make alterations and improvements."

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh.'"

The Assembly bill entitled "An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	King	Ray
Bradley	Dow	Laning	Robertson
Coe	Gross	Ledwith	Selkreg
Cole	Johnson	Lord	Wagner
Connelly	Kellogg	Madden	Wood
Dayton			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act amendatory of the several acts relating to Washington Park, in the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Booth	Dayton	Johnson	Madden
Bradley	Dickinson	Kellogg	Ray
Coe	Dow	Laning	Robertson
Cole	Gross	Ledwith	Selkreg
Connelly	Jacobs	Lord	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to permit the Albany and Sandlake Plank-road Company to borrow money and make alterations and improvements," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Gross	Ledwith	Robertson
Coe	Jacobs	Lord	Selkreg
Cole	Johnson	Madden	Wagner
Connelly	Kellogg	McGowan	Wood
Dayton	King	Moore	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Laning	Ray
Coe	Jacobs	Ledwith	Robertson
Cole	Johnson	Lord	Wagner
Dickinson	Kellogg	McGowan	Wellman
Dow	King	Moore	Wood
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act extending the jurisdiction of the Park Commissioners of the city of Buffalo over that portion of Delaware street, in said city, between Chapin Place and north bounds of Virginia street, and authorizing them to maintain, improve and embellish the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Lord asked and obtained leave to introduce a bill entitled "An act to abolish the office of superintendent of canal repairs, and to give additional powers to the Canal Commissioners for the more efficient and economical repair and maintenance of the canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent Mr. Ray asked and obtained leave to introduce a bill entitled "An act authorizing the adjudication and settlement of certain claims arising out of the defalcation of the late treasurer of Columbia county with this State and the said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Connelly asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to increase the rates of ferriage between the city of Hudson, in the county of Columbia, and the village of Athens, in the county of Greene,' passed May 15, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Dickinson asked and obtained leave to introduce a bill entitled "An act to further improve the discipline of the State prisons of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on state prisons.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the Buffalo Hydraulic Association to sell or abandon a part or portion of their land," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to authorize the village of Greenbush to issue bonds to raise money," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act excluding from the right of suffrage all persons convicted of bribery or of any infamous crime," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act further to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders; and, after some time spent therein, the hour of twelve o'clock having arrived,

The President resumed the chair, and announced that the Senate would now go into executive session.

Mr. Ledwith moved that the executive session be postponed until half-past twelve o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again, in committee of the whole, proceeded with the consideration of general orders; and, the hour of half-past twelve o'clock, P. M., having arrived,

The President resumed the chair, and again announced that the Senate would go into executive session.

Mr. Gross moved that the executive session be postponed until one o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate, in committee of the whole, then proceeded with the consideration of general orders, being the bills entitled as follows:

"An act to establish specie payments on all contracts or obligations payable in this State in dollars and made after January 1, 1879."

"An act to incorporate the Twelfth Ward Savings Bank in the city of New York."

"An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 1, 1868."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dow, from the same committee, reported progress on the second named bill, and asked leave to sit again.

Mr. Gross moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered engrossed for a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Wagner	
Cole	Jacobs	Parmenter	Wellman	
Connelly	Johnson	Ray	Wood	
Dow	Laning	Tobey		15

FOR THE NEGATIVE.

Dickinson	King			2
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Mr. Dow, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Selkreg presented the Report of the American Geographical Society for the year 1874 ; which was laid upon the table ordered printed.

(See Doc. No. 48.)

Mr. Parmenter offered the following :

Resolved, That the Attorney-General furnish the Senate with his opinion as to whether, under section 19 of article 3 of the Constitution, the Legislature can legally appropriate money to pay any private claim or account against the State until after such private claim or account has been in fact audited and allowed according to law.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly returned the following entitled Assembly bills, with messages that they had concurred in the amendments of the Senate thereto, respectively :

"An act to provide payment for the service of certain officers and employees of the Assembly."

"An act to authorize the common council of the city of Lockport to raise by tax the sum of \$2,000 to expend in repairing the Spaulding hose carriage house in said city."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the bill entitled "An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, lines 6 and 7, strike out the words "Sundays excepted."

Strike out all after the word "shall," in line 21, down to and including the word "three," in line 24, and insert in lieu thereof the following : "commit an assault upon his keeper, or any foreman or convict, or otherwise endanger life, or by other flagrant disregard of the rules of the prison."

Add, at the end of section 1, the following :

"But such shall not be the effect in cases where, without any violence whatever, a rule or rules shall be broken by him, and it is clear that no wilfulness or malice was intended."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Selkreg
Bradley	Gross	Ledwith	Tobey
Cole	Jacobs	Moore	Wagner
Connelly	Johnson	Parmenter	Wellman
Dickinson	Kellogg	Robertson	Wood
			20

Mr. Wellman moved to reconsider the vote by which said amendments were concurred in.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Selkreg
Bradley	Jacobs	Madden	Tobey
Cole	Johnson	Moore	Wagner
Connelly	Kellogg	Parmenter	Wellman
Dickinson	King	Ray	Wood
Dow	Laning	Robertson	
			23

Mr. Wellman moved that the Senate non-concur in the amendments made by the Assembly to said bill, that a committee of conference be appointed thereon, and that the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Wellman, Robertson and Jacobs.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same."

Ordered, That the Clerk deliver said bill to the Governor.

The hour of one o'clock having arrived, the Senate went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Ledwith, the Senate adjourned.

THURSDAY, FEBRUARY 18, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act for the extension of plankroads and turnpikes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to release the interest of the people of the State of New York to Fritz Fanger, husband of Wilhelmina Fanger, deceased, of, in, and to certain real estate situate in the town of Newtown, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the Code of Procedure," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of John Hay and others claiming as heirs of John G. Leake," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the collection of taxes," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act relative to evidence in legal proceedings," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Booth, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on public health, to which was referred the bill entitled "An act in relation to the treatment of animals," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to establish specie payments on all contracts or obligations payable in this State in dollars and made after January 1, 1879."

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act for continuing and regulating a

ferry across the Hudson river in the town of Phillipstown, in the county of Putnam," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act in relation to the Board of Commissioners of Emigration," reported adversely thereto.

Mr. Gross moved that the question agreeing to the report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows :

"An act in relation to the powers of boards of supervisors in the several counties of the State in the election or appointment of railroad commissioners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail of the county of New York upon civil process," which was read the first time, and by unanimous consent was also read the second time.

Mr. Ledwith moved that the rules be suspended, and that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to amend the act, passed April 15, 1855, entitled 'An act to facilitate the forming of agricultural and horticultural societies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act concerning the proofs of wills, executors and administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to amend chapter 344 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 13, 1860, and to define the term of office of the acting superintendent and auditing superintendents of the poor now in office under said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to incorporate the West Sandlake Fire Company in the town of Sandlake, Rensselaer county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act with regard to testamentary dispositions of estates of decedents and gifts in case of death, or in contemplation of the division of an estate or property among offspring by a parent,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845, passed April 27, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to establish specie payments on all contracts or obligations payable in this State in dollars and made after January 1, 1879," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Laning	Ray
Cole	Gross	Ledwith	Robertson
Connelly	Jacobs	Lord	Wagner
Dayton	Johnson	Lowery	Wood
Dickinson	Kellogg	Parmenter	

19

FOR THE NEGATIVE.

Coe	Madden	Selkreg	Wellman
King	McGowan		

6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act for the incorporation of library companies,' passed June 17, 1853," having been announced for a third reading,

On motion of Mr. Bradley, and by unanimous consent, was amended as follows :

After the word "debts," in line 18, section 1, engrossed bill, insert the words "except those which may be created as above provided for the purpose of purchasing a site for and erecting library buildings."

Line 11, same section, strike out the words "or a residence for the librarian."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Ray
Bradley	Jacobs	Madden	Robertson
Cole	King	McGowan	Wellman
Dow	Laning	Parmenter	Wood
Fox	Ledwith		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. McGowan offered the following :

Whereas, Of documents ordered printed for the use of the Legislature less than four-fifths of the number ordered are distributed among the members of the Legislature ; therefore,

Resolved, That the Secretary of State is hereby requested to report to this body on what principle such documents are distributed.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Jacobs moved that the bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn, passed June 1, 1874," be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King offered the following :

Resolved (if the Assembly concur), That 2,000 extra copies of the pamphlet relating to Pauper and Destitute Children, by Commissioner P. Letchworth, being an extract from the Eighth Annual Report of the State Board of Charities, be printed for the use of the Board.

Ordered, That said resolution be referred to the committee on public printing.

Mr. King offered the following :

Resolved (if the Assembly concur), That 2,000 extra copies of the pamphlet relating to Out-door Relief, by Martin B. Anderson, being an extract from the Eighth Annual Report of the State Board of Charities, be printed for the use of the Board.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Laning moved to reconsider the vote by which the following resolution was adopted :

"Resolved, That the Attorney-General furnish the Senate with his opinion as to whether, under section 19 of article 8 of the Constitution, the Legislature can legally appropriate money to pay any private claim or account against the State until after such private claim or account has been in fact audited and allowed according to law."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Coe	Johnson	Madden	Ray
Dayton	Lowery	Parmenter	Wood
Dow			

9

FOR THE NEGATIVE.

Booth	Gross	Laning	Robertson
Bradley	Jacobs	Ledwith	Selkreg
Cole	Kellogg	Lord	Wagner
Connelly	King	McGowan	Wellman
Fox			

17

Mr. Robertson moved to reconsider the vote agreeing to the adverse report of the committee on the judiciary upon the Assembly bill entitled "An act excluding from the right of suffrage all persons convicted of bribery or of any infamous crime," and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to authorize the village of Greenbush to issue bonds for the purpose of raising money."

"An act to amend an act entitled 'An act amending, revising, and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871."

"An act to extend the operation and effect of the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

After some time spent therein, the President resumed the chair, and Mr. Madden, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Madden, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Madden, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. King moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, February 18, 1875. }

To the Legislature :

I have the honor to transmit herewith the Annual Report of the Trustees of the Sailors' Snug Harbor.

SAMUEL J. TILDEN.

Ordered, That said report be laid upon the table and printed.

(See Doc. No. 50.)

The Assembly returned the bill entitled "An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State," with a message that they had assented to a committee of conference thereon, and had appointed as such committee, on their part, Messrs. Sherwood, Sherman, Faulkner, Wurtz, and Whitmore.

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That when the Legislature adjourns on Friday, the 19th instant, it does so to meet on Wednesday morning, the 24th instant, at eleven o'clock.

On motion of Mr. Wood, and by unanimous consent, the rules were suspended, in order that said resolutions might be considered immediately.

Mr. Wood moved to amend by striking out the words "Wednesday morning, the 24th instant," and inserting in lieu thereof the words "Tuesday evening, 23d instant, at half-past seven o'clock."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows :

"An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

After some time spent therein the President resumed the chair, and Mr. Ray, from said committee, reported progress on the said named bill, and asked and obtained leave to sit again.

The Assembly returned the concurrent resolution relative to adjournment, with a message that they had concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said resolution to the Assembly.

On motion of Mr. Jacobs, the Senate adjourned.

FRIDAY, FEBRUARY 19, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Selkreg presented two petitions of citizens of Seneca and Tompkins county in favor of a reduction of tolls upon the canals; which were read and referred to the committee on canals.

Mr. Dow presented a memorial of the Trustees of the Thomas Asylum for Orphans and Destitute Children; which was read and referred to the committee on Indian affairs.

Mr. Lowery, from the committee on banks, to which was recommitted the bill entitled "An act to provide for the organization of savings banks, for their supervision, and for the administration of their affairs," reported in favor of the passage of the same, with amendments, the title thereof amended to read "An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, and for the supervision and the administration of their affairs," and said bill was committed to the committee of the whole.

The Assembly returned the concurrent resolution to print 3,000 copies of the Annual Report of the Board of Managers of the New York State Lunatic Asylum, at Utica, with a message that they had concurred therein, with an amendment so as to read as follows :

Resolved (if the Assembly concur), That 2,000 copies of the Annual Report of the Managers of the New York State Lunatic Asylum, at Utica, be printed for the use of the Managers."

Mr. Lowery moved that said amendment be concurred in.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That 3,000 copies of the proceedings of the Legislature on the reception of William Cullen Bryant, embracing the addresses of the President of the Senate and the Speaker of the House and the responses of Mr. Bryant, be printed for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly returned the concurrent resolution to print 1,000 copies of the Annual Report of the State Treasurer, with a message that they had concurred therein.

The Assembly returned the concurrent resolution to print 2,500 copies of the Report of the Western House of Refuge, with a message that they had concurred therein with the following amendment:

Strike out "2,500," and insert in lieu thereof "1,000."

Mr. Lord moved that the Senate do non-concur in said amendment, that a committee of conference be appointed, and that the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Lord, Selkreg, and Lowery.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the bill entitled "An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State," having met and duly considered the same, submit the following report:

Concurrence in the amendments thereto adopted by the Assembly.

And the committee further recommend the adoption of the following: Strike out, in line 13, engrossed bill, the word "made," and insert in lieu thereof the word "unable."

A. J. WELLMAN,
Ch'n Senate Committee.

GEORGE SHERWOOD,
Ch'n Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	King	Ray
Bradley	Fox	Ledwith	Robertson
Cole	Gross	Lord	Selkreg
Connelly	Jacobs	Lowery	Wagner
Dayton	Johnson	McGowan	Wellman
Dickinson	Kellogg	Parmenter	Wood

24

FOR THE NEGATIVE.

Madden

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The President presented the Report of the Secretary of State, in response to a resolution of the Senate, relative to the distribution of documents ordered printed for the use of the Legislature; which was laid upon the table and ordered printed.

(See Doc. No. 51.)

By unanimous consent, Mr. Lord asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes in relation to equalizing the assessment and collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to amend section 20 of title 15, chapter 18, part 1 of the Revised Statutes in relation to gas-light companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Connelly asked and obtained leave to introduce a bill entitled "An act to regulate the sale of baled hay and straw in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act in relation to the general terms of the supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend an act entitled 'An act amending, revising, and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871."

"An act to authorize the village of Greenbush to issue bonds for the purpose of raising money."

The bill entitled "An act to amend an act entitled 'An act amending, revising, and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Ray
Bradley	Fox	Lord	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Jacobs	McGowan	Wagner
Dickinson	King	Parmenter	Wellman
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the village of Greenbush to issue bonds for the purpose of raising money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Fox	McGowan	Selkreg
Coe	Gross	Moore	Wagner
Cole	Ledwith	Parmenter	Wellman
Dayton	Lord	Ray	Wood
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Wellman called for the consideration of the resolution in the words following :

Whereas, By the United States homestead law of 1872 those entitled to its provisions are obliged to settle on the land selected by them within six months after such selection; and,

Whereas, By reason of this provision a large majority of soldiers, wishing to avail themselves of said law, are virtually deprived of all its benefits, including those who are at present pecuniarily unable to move west, those who have children too small to withstand the hardships of a new country, or of an age when such removal would deprive them of necessary educational facilities, those who are engaged in business which they cannot immediately leave without special loss, and those who, for other reasons, are not able to make so important a change for some time to come; the whole of whom, by reason of such delay in removal, would find all desirable and conveniently located land already taken up; therefore, in order to meet these numerous cases, and that those whose valor and sacrifices preserved to the nation all its territory may have the benefit of a small portion for actual settlement and the support of their families,

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to favor, with their influence and their votes, the passage of an amendment to the homestead law extending the time for the actual occupation of land selected by soldiers to ten years from the time of such selection.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes in relation to the erection, repairing, and preservation of bridges."

"An act making an appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston."

"An act to amend title 7 of chapter 1 of part 4 of the Revised Statutes relative to the punishments for attempting to commit offenses."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence the bills entitled as follows :

"An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out of public roads and of the alteration thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend section 46 of 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, relative to the jurisdiction of ward justices of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to release the interest of the people of the State of New York in certain real estate, lying under the water of Seneca lake, to Hobart College," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wood, from the committee on engrossed bills, reported as correctly re-engrossed the bill entitled as follows :

"An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows :

"An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail of the county of New York upon civil process."

"An act further to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers.'"

After some time spent therein the President resumed the chair, and Mr. Coe, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows :

"An act for the support and maintenance of prisoners confined upon civil process."

After some time spent therein, the President resumed the chair, and Mr. Dayton, from said committee, reported in favor of the passage of said named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting him to return Assembly bill No. 40, entitled "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," for amendment.

By unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Jacobs moved that the Senate do now go into executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and

On motion of Mr. Kellogg, the Senate adjourned.

TUESDAY, FEBRUARY 23, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, February 19, was read and approved.

The Assembly sent for concurrence the bills entitled as follows:

"An act to provide for the discharge of judgments against persons discharged under the United States bankrupt law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the common council of the city of Rochester to raise money to provide for the deficiencies in the funds of the board of education," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act in relation to the census or enumeration of the inhabitants of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to repeal chapter 327 of Session Laws of 1874, entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors in the county of Westchester,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer,' passed May 5, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to incorporate the Trustees of the Sustentation Fund of the Reformed Episcopal Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the Western Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,'" which was read the first time, and by unanimous consent was also read the second time and referred to the committee on charitable and religious societies.

"An act to amend the charter of the village of Dansville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto, respectively:

"An act amendatory of the several acts relating to Washington park in the city of Albany."

"An act to amend an act entitled 'An act to simplify and abridge the practice and proceedings of the courts of this State,' known as the 'Code of Procedure.'"

Ordered, That the Clerk return said bills to the Assembly.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the consolidation of certain railroad companies,' passed May 20, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to incorporate the Elmira Park Association,' passed April 24, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act for the support and maintenance of prisoners confined upon civil process."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to release the interest of the people of the State of New York to Fritz Fanger, husband of Wilhelmina Fanger, deceased, in and to certain real estate situate in the town of Newtown, Queens county."

"An act for continuing and regulating a ferry across the Hudson river in the town of Phillipstown, in the county of Putnam."

After some time spent therein the President resumed the chair, and Mr. Middleton, from said committee, reported in favor of the passage of

said named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Lowery moved that 300 extra copies of the bill entitled "An act to conform all charters of savings banks or institutions for savings to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, and for the supervision of the administration of their affairs," be printed for the use of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Lowery, the Senate adjourned.

WEDNESDAY, FEBRUARY 24, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The Assembly returned the concurrent resolution relative to printing the Report of the Western House of Refuge, with a message that they assent to a committee of conference thereon, and had appointed as such committee, on their part, Messrs. Friend, G. Taylor, McGowan, Whitmore, and Burtis.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act appropriating certain moneys to reimburse the county of Albany for expenses incurred in the trial of Charles H. Phelps," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Kellogg asked and obtained leave to introduce a bill entitled "An act to incorporate the American Sabbath Tract Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act authorizing the city of Poughkeepsie to sell and convey any real estate, or interest in real estate, owned or possessed by it," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the marine court of the city of New York,' passed May 22, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McGowan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to release the interest of the people of the State of New York to Fritz Fanger, husband of Wilhelmina Fanger, deceased, in and to certain real estate situate in the town of Newtown, Queens county."

"An act to incorporate the Twelfth Ward Savings Bank in the city of New York."

"An act for continuing and regulating a ferry across the Hudson river in the town of Phillipstown, in the county of Putnam."

The Assembly returned the concurrent resolution to print 5,000 extra copies of the Report of the State Assessors, with a message that they had concurred in the adoption of the same.

The bill entitled "An act for continuing and regulating a ferry across the Hudson river in the town of Phillipstown, in the county of Putnam," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Moore
Bradley	Johnson	Lowery	Ray
Cole	Kellogg	Madden	Robertson
Connelly	King	McGowan	Selkreg
Dayton	Laning	Middleton	Wellman
Gross	Ledwith		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York to Fritz Fanger, husband to Wilhelmina Fanger, deceased, in and to certain real estate situate in the town of Newtown, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Parmenter
Bradley	Johnson	Lowery	Ray
Cole	Kellogg	Madden	Robertson
Connelly	King	McGowan	Selkreg
Dayton	Laning	Middleton	Thompson
Dickinson	Ledwith	Moore	Wellman
Gross			

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail of the county of New York upon civil process," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Middleton
Bradley	Jacobs	Lord	Moore
Coe	Johnson	Lowery	Parmenter
Cole	Kellogg	Madden	Ray
Dayton	King	McGowan	Thompson
Fox			

21

FOR THE NEGATIVE.

Robertson	Selkreg	Wellman	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act further to amend chapter 180 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Ray
Bradley	Jacobs	Lowery	Robertson
Coe	Johnson	Madden	Selkreg
Cole	Kellogg	McGowan	Thompson
Connelly	King	Middleton	Wellman
Dickinson	Laning	Parmenter	Wood

24

Mr. Madden moved to reconsider the vote by which said bill was passed, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The bill entitled "An act for the support and maintenance of prisoners confined upon civil process," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Parmenter
Bradley	Jacobs	Lowery	Ray
Coe	Johnson	Madden	Robertson
Cole	Kellogg	Middleton	Thompson
Connelly	Laning	Moore	Wood
Dayton			

21

FOR THE NEGATIVE.

Selkreg	Wellman	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act in relation to the treatment of animals."

"An act to amend the Code of Procedure."

After some time spent therein the President resumed the chair, and Mr. Dickinson, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dickinson, from the same committee, reported in favor of the passage of the last named bill, with the title amended so as to read "An act to amend section 238 of the Code of Procedure," which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows :

"An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed, by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

After some time spent therein the President resumed the chair, and Mr. McGowan, from said committee, reported progress on said named bill, and asked leave to sit again.

Mr. Wood moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson offered the following :

Resolved, That the Comptroller be respectfully requested to transmit to the Senate, as soon as practicable, the name of each and every officer and employee of the Senate, at the last session of the Legislature ; the capacity in which each was employed ; the services and time of service rendered by each ; the amount of pay received by each ; to whom paid, and upon whose certificate for services rendered in each case.

Mr. Laning moved to amend said resolution by inserting, after the word "*Resolved*," the words "(if the Assembly concur.)"

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Laning, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

Mr. Laning moved to amend said resolution by inserting the words "and Assembly" after the words "employee of the Senate."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the pamphlet relating to Pauper and Destitute Children, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That 2,000 extra copies of the pamphlet relating to Pauper and Destitute Children, by Wm. P. Letchworth, being an extract from the Eighth Annual Report of the State Board of Charities, be printed for the use of the Board.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Selkreg
Bradley	Jacobs	Lowery	Thompson
Coe	Kellogg	Madden	Tobey
Connelly	King	Middleton	Wellman
Dayton	Laning	Ray	Wood
Fox	Ledwith	Robertson	

23

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the pamphlet relating to Out-door Relief, reported in favor of the adoption of the following resolution:

Resolved (if the Assembly concur), That 2,000 extra copies of the pamphlet relating to Out-door Relief, by Martin B. Anderson, being an extract from the Eighth Annual Report of the State Board of Charities, be printed for the use of the Board.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Bradley	Jacobs	Madden	Thompson
Coe	Kellogg	Middleton	Tobey
Connelly	King	Ray	Wellman
Dayton	Laning	Robertson	Wood
Fox	Ledwith		

22

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Proceedings on the Reception of William Cullen Bryant, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That 3,000 copies of the Proceedings of the Legislature on the Reception of William Cullen Bryant, embracing the addresses of the President of the Senate and Speaker of the House, and the responses of Mr. Bryant, be printed for the use of the Legislature.

Mr. Laning moved to amend the report by striking out "3,000," and inserting in lieu thereof "1,000."

Mr. Lord moved to amend said amendment by striking out the word "Legislature," lastly occurring, and inserting in lieu thereof the word "Governor."

The President put the question whether the Senate would agree to said motion of Mr. Lord, and it was decided in the affirmative.

Mr. Madden moved to amend the amendment of Mr. Laning by striking out "1,000," and inserting in lieu thereof "500."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Laning, as amended, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said report, as amended, and it was decided in the negative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Middleton offered the following :

Resolved, That there be printed for the use of the Senators 320 copies of the new Constitution, being ten copies for each member, to be distributed by the Clerk.

Ordered, That said resolution be referred to the committee on public printing.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *Feb. 19, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Waehner, and by unanimous consent, the same was amended as follows :

Amend the title of the bill by inserting the word "further," after the word "act," in line 1, engrossed bill.

Section 1, line 7, engrossed bill, after the word "hereby," insert the word "further."

Insert, after the word "follows," line 7, engrossed bill, the following words :

"Section 1. Section 1 of the act entitled 'An act in relation to preferred causes in the supreme court and court of appeals, passed April 5, 1860,' is hereby amended so as to read as follows :"

And as amended passed, and ordered sent to the Senate for concurrence.

By order,

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg	
Bradley	Jacobs	Madden	Thompson	
Coe	Johnson	Middleton	Tobey	
Connelly	Kellogg	Ray	Wellman	
Dayton	Laning	Robertson	Wood	20

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Robertson
Bradley	Jacobs	Lowery	Selkreg
Coe	Johnson	Madden	Thompson
Connelly	Kellogg	Middleton	Wellman
Dayton	King	Ray	Wood
Fox	Laning		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to authorize the election of town auditors of the several towns of this State, and to prescribe their powers and duties," reported that they have had the same under consideration, and directed their chairman to report the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

On motion of Mr. Johnson, the Senate adjourned.

THURSDAY, FEBRUARY 25, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Lowery presented a petition of the common council of the city of Utica for the passage of a law authorizing the construction of an outlet under the Erie canal for sewage purposes; which was read and referred to the committee on canals.

Mr. Ledwith presented a petition of property owners of New York city for an act discontinuing a part of avenue B, in said city; which was read and referred to the committee on the affairs of cities.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 20 of title 15, chapter 18, part 1 of the Revised Statutes in relation to gas-light companies," reported in favor of the passage of the same, with amendments, the title amended to read "An act to amend an act entitled 'An act to authorize the formation of gas-light companies,' passed February 10, 1848," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to release certain lands which have escheated to the State to Eliza Blain, widow of John Blain, late of the city of Buffalo," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out of public roads and the alteration thereof,'" reported in favor of the passage of the same, with amendments, the title amended by adding, at the end thereof, the words "passed April 28, 1873," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the discharge of judgments against persons discharged under the United States bankrupt law," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the American Sabbath Tract Society," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Richfield Union Agricultural Society," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to authorize the county of Essex to borrow money for the purpose of enlarging, repairing, and improving its county poor-house, and to authorize the issue of bonds and provide for the payment thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend section 238 of the Code of Procedure."

"An act in relation to the treatment of animals."

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act to amend the Revised Statutes in relation to equalizing the assessment and collection of taxes," reported that they have had the same under consideration, and have directed their chairman to report the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act in relation to the census or enumeration of the inhabitants of this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows :

"An act to confirm the proceedings of the board of supervisors of the county of New York in the authorization of the appointment of assistant keepers at the county jail in said county, and for the relief of the persons so appointed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the first day of October, 1875, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs, and maintenance of the canals for the fiscal year commencing on the first day of October, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to reappropriate moneys for construction of new work upon and extraordinary repairs of the canals of this State, and for payment of awards made by the Canal Appraisers," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to confirm the official acts of the Trustees of the Delaware Literary Institute," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend the charter of the village of Canandaigua by conferring upon the trustees thereof the power to restrain and regulate the construction of wooden buildings and roofs in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act in relation to trust companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act for the relief of school district No. 17 of the town of Southport, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act concerning the Hahnemann Hospital of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866," with a message that they had concurred in the passage of the same, with the following amendment:

Amend the title by striking out the words "to amend an act," and inserting in lieu thereof the words "supplementary to chapter 273 of the Laws of 1866."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Robertson
Bradley	Jacobs	Lowery	Selkreg
Coe	Johnson	Madden	Tobey
Connelly	King	Middleton	Wellman
Dow	Laning	Ray	Wood
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

By unanimous consent, Mr. Wood asked and obtained leave to introduce a bill entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, etc., etc.," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to authorize the town of Groton, Tompkins county, to issue bonds of longer date to take up and cancel bonds of said town falling due in 1876 and 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to incorporate the Buffalo Exchange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act authorizing the common council of the city of Buffalo to make re-assessments to defray the expenses of certain improvements in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Lowery asked and obtained leave to introduce a bill entitled "An act to provide for the construction of outlets under the Erie canal, in the city of Utica, to afford an opportunity of carrying the sewerage of said city to the Mohawk river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Johnson asked and obtained leave to introduce a bill entitled "An act to provide for a better system of records of the inmates of poor-houses and alms-houses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act relating to fares for carrying passengers on street railroads in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act providing for the appointment of additional notaries public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Arctic Fire Insurance Company in the city of New York, and to correct an act amending said charter," passed February 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to provide for the election of the justices of the district courts in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to improve and simplify law reports," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to amend section 238 of the Code of Procedure," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	King	Robertson
Coe	Gross	Laning	Thompson
Connely	Jacobs	Lowery	Tobey
Dayton	Johnson	Middleton	Wellman
Dow	Kellogg	Ray	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the treatment of animals," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Ray
Bradley	Jacobs	Lord	Robertson
Connely	Johnson	Lowery	Tobey
Dayton	Kellogg	Madden	Wellman
Dow	Laning	Middleton	Wood
			20

FOR THE NEGATIVE.

King	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,'" having been announced for a third reading,

On motion of Mr. Johnson, and by unanimous consent, said bill was amended by striking out, in line 16, section 2 (Senate printed bill), the words "seven dollars," and inserting in lieu thereof the words "six dollars."

On motion of Mr. Wood, and by unanimous consent, said bill was amended by striking out, in line 39, section 2 (Senate printed bill), the words "the annual," and inserting in lieu thereof the words "an extra."

Same section, line 40, after the word "Legislature," insert the words "as herein provided."

Mr. Selkreg moved that said bill be recommitted to the committee on finance, with instructions to amend by inserting, in line 28, section 2 (Senate printed bill), after the word "carrier," the words "of each House."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Booth	Kellogg	Middleton	Thompson	
Coe	Lowery	Robertson	Tobey	
Connelly	McGowan	Selkreg	Wellman	12

FOR THE NEGATIVE.

Bradley	Gross	Laning	Madden	
Dayton	Johnson	Ledwith	Ray	
Dow	King	Lord	Wood	
Fox				13

Mr. Selkreg moved that said bill be recommitted to the committee on finance, with instructions to insert, in line 28, section 2 (Senate printed bill), after the word "carrier," the words "of each House, to be appointed by the presiding officer of each House, two."

Mr. Johnson moved to amend the amendment by striking out the words "to the mail carrier, three dollars per day," and inserting in lieu thereof the words "to the mail carrier, who shall be appointed by the presiding officer of each House, three dollars per day."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Selkreg, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	King	Middleton	Tobey	
Connelly	Laning	Robertson	Wellman	
Dow	Lowery	Selkreg	Wood	
Kellogg	McGowan			14

FOR THE NEGATIVE.

Bradley	Gross	Ledwith	Ray	
Dayton	Jacobs	Lord	Thompson	
Fox	Johnson	Madden		11

Mr. Wood, from the committee on finance, to which was recommitted the Assembly bill entitled "An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,'" reported that they have made the amendments thereto as instructed by the Senate.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg
Bradley	Gross	McGowan	Thompson
Connelly	King	Middleton	Wellman
Dayton	Laning	Robertson	Wood
Dow	Ledwith		

18

FOR THE NEGATIVE.

Johnson	Lord	Madden	Ray
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Robertson, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to repeal 'An act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' passed April 29, 1874, and to suspend the collection of taxes assessed under the same," reported adversely thereto.

Mr. Robertson moved that said report be laid upon the table until Tuesday next.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood, from the committee on engrossed bills, reported as correctly re-engrossed the bill entitled as follows :

"An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866."

Mr. Selkreg offered the following :

Resolved, That the Clerk of the Court of Appeals be and he is hereby directed, within ten days, to report to the Senate the amount of moneys held by him as such clerk; how, and in what securities the same is invested, the annual interest thereon, and how such interest is disposed of. Also, how much, if any, of the trust funds heretofore held by the Clerk of the Court of Appeals have been lost by investments where securities have proved inadequate or worthless, and by whom such investments were made, and when made.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lord moved that said bill be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Madden offered the following :

Resolved, That the standing committee on finance be and are hereby requested to report an amendment to the Constitution of the State, for the consideration of the Senate, designating the number and fixing the compensation of pages and other officers of the Senate and Assembly.

Mr. Madden moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs moved that the Assembly bill entitled "An act in relation to the census or enumeration of the inhabitants of this State," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof"

Assembly, "An act in relation to the census or enumeration of the inhabitants of this State."

"An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof."

After some time spent therein, the President resumed the chair, and Mr. Tobey, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Tobey, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Tobey, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Ledwith moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be recommended to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Kellogg, the Senate adjourned.

FRIDAY, FEBRUARY 26, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Laning presented a remonstrance of citizens of Buffalo against the bill extending the jurisdiction of the park commissioners of the city of Buffalo; which was read and referred to the committee on the affairs of cities.

Mr. King presented a petition of the trustees of the town of Flushing relative to the custody of the Flushing town hall; which was read and referred to the committee on the affairs of villages.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to appoint a reporter of the decisions of the supreme court," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Buffalo Exchange," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845, passed April 27, 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for a better system of records of the inmates of poor-houses and alms-houses," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to corporations transacting business in other States," reported in favor of the passage of the same, with amendments, the title thereof amended to read "An act authorizing life, fire, and marine insurance companies to invest their surplus funds in certain other States to meet their obligations incurred in such States," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to incorporate the Elmira Park Association,' passed April 24, 1872," reported in favor of the passage of the same, with amendments, the title thereof amended to read "An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, to repeal chapter 329 of the Laws of 1872," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the bill entitled "An act to extend the operation and effect,

of the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to protect the right of trial by jury in criminal cases," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act in relation to the county court-house and jail in Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to amend the act relating to the assessment of real property in the several towns and wards of this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Middleton, from the committee on agriculture, to which was referred the bill entitled "An act to regulate the sale of baled hay and straw in the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The committee of conference, appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the resolution in the words following :

"*Resolved* (if the Assembly concur), That there be printed 2,500 copies of the Report of the Western House of Refuge for the use of the Managers of that institution,"

Having met and duly considered the same, have agreed to recommend as follows :

That the Assembly recede from their amendment to strike out "2,500" and insert in lieu thereof "1,000;" and that the resolution of the Senate, that there be printed 2,500 copies of the Report of the Western House of Refuge for the use of the Managers of that institution, be concurred in.

J. LORD,
J. H. SELKREG,
S. S. LOWERY,
Senate Committee.

JOS. D. FRIEND,
D. E. WHITMORE,
JNO. T. MCGOWAN,
GEO. TAYLOR,
JOHN H. BURTIS,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Moore
Bradley	Gross	Lord	Robertson
Coe	Kellogg	Lowery	Selkreg
Dayton	King	McGowan	Thompson
Dickinson	Laning	Middleton	Tobey
Dow			

21

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

A communication was received from the Secretary of State transmitting a Report upon Statistics of Pauperism; which was laid upon the table and ordered printed.

(See Doc. No. 52.)

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of county taxes in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Robertson
Bradley	Gross	Lowery	Selkreg
Coe	Jacobs	McGowan	Thompson
Dayton	Kellogg	Parmenter	Tobey
Dickinson	Laning	Ray	Wood
Dow	Ledwith		

22

On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act supplementary to chapter 55 of the Laws of 1861, entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March 19, 1861, and to provide for the future custody of said hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to authorize the formation of elevated railroad corporations to provide for rapid transit in the cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to compensate justices of the supreme court for their expenses while engaged in holding courts not regularly assigned to the justice holding the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the revision of the statutes of the State of New York,' passed March 2, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly bill entitled "An act in relation to the census or enumeration of the inhabitants of this State," was read a third time.

FOR THE AFFIRMATIVE.

Booth	Gross	Led with	Parmenter
Bradley	Jacobs	Lord	Ray
Coe	Johnson	Lowery	Robertson
Dayton	Kellogg	McGowan	Thompson
Dow	King	Middleton	Wood
Fox	Laning	Moore	23

Dickinson	Selkreg	2
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The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

Booth	Gross	Lord	Robertson
Bradley	Johnson	Lowery	Selkreg
Dayton	Kellogg	McGowan	Thompson
Dickinson	King	Middleton	Tobey
Dow	Laning	Ray	Wood
Fox	Ledwith		

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows:

Booth	Gross	Ledwith	Ray
Bradley	Jacobs	Lord .	Robertson
Dayton	Johnson	Lowery	Thompson
Dickinson	Kellogg	McGowan	Tobey
Dow	King	Middleton	Wood
Fox	Laning	Parmenter	

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Ray
Bradley	Gross	Lowery	Robertson
Dayton	Johnson	McGowan	Selkreg
Dickinson	King	Middleton	Thompson
Dow	Ledwith	Parmenter	Wood

20

On motion of Mr. Lord, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to incorporate the Twelfth Ward Savings Bank in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Robertson
Bradley	Johnson	Lowery	Selkreg
Dayton	Kellogg	Middleton	Thompson
Dow	Laning	Ray	Tobey
Fox	Ledwith		

18

FOR THE NEGATIVE.

Dickinson	King
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,' with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, engrossed bill, strike out all after the word "four," in line 4, down to and including the word "six," in line 6, and insert in lieu thereof the words "entitled 'An act to amend and consolidate the several acts relative to the village of Lansingburgh.'"

Amend the title by striking out the words "An act," in line 1, and inserting in lieu thereof the words "chapter 204 of the Laws of 1864."

Also, before the words "to amend," in line 1, insert the word "further."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Robertson
Bradley	Jacobs	Lord	Selkreg
Coe	Johnson	Lowery	Thompson
Dayton	Kellogg	McGowan	Tobey
Dickinson	King	Parmenter	Wellman
Dow	Laning	Ray	Wood
Fox			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act to extend the time for the collection of county taxes in the city of Auburn."

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act supplemental to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866."

"An act to legalize and confirm the official acts of William Burr, a justice of the peace, of the town of Lindley, in the county of Steuben, and to enable him to take and file his oath of office."

"An act to amend chapter 605 of the Laws of 1874, entitled 'An act to authorize the Canal Commissioners to build a road or street bridge over the Erie canal, on Goodman street, at the east boundary line of the city of Rochester,' passed June 5, 1874."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto :

"An act supplementary to an act, passed May 2, 1872, entitled 'An act to amend the several acts relating to the city of Rochester.'"

Ordered, That the Clerk return said bill to the Assembly.

Mr. Dickinson offered the following :

Whereas, Under the amended Constitution, the Legislature has power and authority to sell, lease, or otherwise dispose of the following canals, namely: Chemung, Chenango, Black River, Genesee Valley, Oneida Lake, Baldwinsville, and Crooked Lake; therefore,

Resolved (if the Assembly concur), That hereafter no appropriation shall be made or expenditure incurred for or upon the above-named canals greater than the receipts of the same.

Ordered, That said resolution be laid upon the table.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act further to amend chapter 204 of the Laws of 1864, entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh.'"

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Robertson moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to incorporate the Rhinebeck Gas Company,' passed May 1, 1868, and to reduce the capital stock of said company," and that the same be recommitted to the committee on manufactures.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to release certain lands which have escheated to the State of Eliza Blain, widow of John Blain, late of the city of Buffalo."

"An act to amend an act entitled 'An act to authorize the formation of gas-light companies,' passed February 16, 1848."

"An act to amend chapter 436 of the Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York,' passed May 11, 1874."

After some time spent therein, the President resumed the chair, and Mr. Dickinson, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Dickinson, from the same committee, reported progress on the the last named bill, and asked leave to sit again.

Mr. Laning moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be recommitted to the committee on public health, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson moved that when the Senate adjourns to-day it adjourns to meet on Monday evening next at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson moved that the Senate do now go into executive session. The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and

On motion of Mr. Kellogg, the Senate adjourned.

/ MONDAY, MARCH 1, 1875.

The Senate met pursuant to adjournment.

The Chaplain not present.

The journal of Friday, February 26, was read and approved.

Mr. McGowan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to authorize the formation of gas-light companies,' passed February 16, 1848."

"An act to release certain lands which have escheated to the State to Eliza Blain, widow of John Blain, late of the city of Buffalo."

Mr. King, from the committee on commerce and navigation, to which was referred the communication from the Secretary of War relative to ceding certain property in the counties of Queens and Richmond to the United States, reported by bill entitled "An act to amend 'An act giving the consent of the State of New York to the purchase by the United States of certain property in the counties of Queens and Richmond, and to cede to the United States jurisdiction thereof,' passed April 15, 1857," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to repeal an act entitled 'An act to increase the rate of ferriage between the city of Hudson, in the county

of Columbia, and the village of Athens, in the county of Greene,' passed May 16, 1873," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dow, from the committee on Indian affairs, to which was referred the petition of the Trustees of the Thomas Asylum praying for a reorganization of said asylum," reported by bill entitled "An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cattaraugus reservation, and to provide for its management and maintenance," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows :

"An act to amend section 1 of chapter 261 of the Laws of 1874, entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845, passed April 27, 1874," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, and said bill was committed to the committee of the whole.

"An act to provide for the better care of pauper and destitute children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend title 3 of chapter 621 of the Laws of 1857, entitled 'An act to condense and amend the several acts incorporating or relating to the village of Skaneateles,' passed April 16, 1857, and the various acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to legalize the acts of the board of trustees of the village of Charlotte," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to legalize and confirm the official acts of Robert Payne as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize and confirm the official acts of William P. Lee as notary public in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to annex to the city of Brooklyn the town of New Lots, and to provide for its government and control in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to repeal chapter 171 of the Laws of 1859, entitled 'An act to establish a Free School in district No. 3 in the town of Cherry Valley,' passed April 11, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize Abraham C. Waldron and Simon Vischer (the only surviving members of the consistory of 'the ministers, elders, and deacons of the Reformed Protestant Dutch Church at Halfmoon),' as a board of commission to alienate certain real estate belonging to said incorporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act in relation to the floating debt of the village of Edgewater," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to authorize railroad corporations to extend their roads, and to change the location of their roads and tracks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Dow asked and obtained leave to introduce a bill entitled "An act for the preservation of fish in Chautauqua lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act in relation to the county court-house and jail in Queens county."

"An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872."

"An act to extend the operation and effect of the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

After some time spent therein the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same orders engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to incorporate the Buffalo Exchange."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of said named bill, which report was agreed to, and the same ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to appoint a reporter of the decisions of the supreme court."

"An act to provide for a better system of records of the inmates of poor-houses and alms-houses."

"An act to amend an act entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845, passed April 27, 1874."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Bradley, from the same committee, reported that they had substituted for the last named bill the Assembly bill entitled "An act to amend section 1 of chapter 261 of the Laws of 1874, entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845, passed April 27, 1874," and instructed the chairman to report the same to the Senate and recommend its passage, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Ledwith, the Senate adjourned.

TUESDAY, MARCH 2, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. McGowan presented a petition of the inhabitants of the village of Cooperstown in favor of the trustees of said village erecting a building for the use of the fire department of said village; which was read and referred to the committee on the affairs of villages.

Mr. Cole presented a petition of citizens of Niagara county for the reduction of tolls on the canals; which was read and referred to the committee on canals.

Mr. McGowan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for a better system of records of the inmates of poor-houses and alms-houses."

"An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872."

"An act to appoint a reporter of the decisions of the supreme court."

"An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes in relation to the erection, repairing, and preservation of bridges."

"An act to extend the operation and effect of the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

"An act to incorporate the Buffalo Exchange."

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to extend the operation and effect of the act, passed February 17, 1848, entitled 'An act to authorize the formation of coporations for manufacturing, mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to provide for the election of aldermen and supervisors in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to authorize the trustees of the village of Cooperstown to erect a building for the use of the fire department and other officers of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such real estate and erecting such building," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Coe asked and obtained leave to introduce a bill entitled "An act to authorize counties to meet deficiencies in the appropriations made for the relief of the poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to prevent and punish persons trespassing upon private lands by landing any vessel, boat, scow, or other craft upon or along the shore of any of the lakes or inland waters of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Dansville," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Fox offered the following:

Resolved, That the committee on the judiciary be and hereby are requested to prepare and report to the Senate a bill providing for a general and uniform system of elections in the several towns and cities of this State, in conformity with the requirements of the amended Constitution.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Jacobs moved that the committee on the affairs of cities be discharged from the further consideration of the Assembly bill entitled "An act to annex to the city of Brooklyn the town of New Lots, and to provide for its government and control in said city," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to provide for a better system of records of the inmates of poor-houses and alms-houses," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Kellogg	Middleton	
Bradley	Dow	King	Robertson	
Coe	Fox	Ledwith	Selkreg	
Cole	Gross	Lowery	Thompson	
Dayton	Johnson	McGowan		19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the formation of gas-light companies,' passed February 16, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Kellogg	Middleton	
Bradley	Dow	King	Robertson	
Coe	Fox	Laning	Selkreg	
Cole	Gross	Ledwith	Thompson	
Dayton	Johnson	Lowery		19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the operation and effect of the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	King	Middleton	
Bradley	Jacobs	Laning	Robertson	
Cole	Johnson	Ledwith	Selkreg	
Dayton	Kellogg	Lowery	Thompson	
Dickinson				17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to appoint a reporter of the decisions of the supreme court," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Kellogg	McGowan
Bradley	Dow	King	Middleton
Coe	Fox	Laning	Robertson
Cole	Gross	Ledwith	Selkreg
Dayton	Johnson	Lowery	Thompson 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the county court-house and jail in Queens county," having been announced for a third reading,

Mr. Johnson moved that said bill be recommitted to the committee on internal affairs, retaining its place in the order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Buffalo Exchange," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Johnson	McGowan
Bradley	Dow	Kellogg	Middleton
Coe	Fox	King	Robertson
Cole	Gross	Laning	Selkreg
Dayton	Jacobs	Ledwith	Thompson 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	King	Middleton
Bradley	Fox	Laning	Robertson
Coe	Gross	Ledwith	Selkreg
Cole	Jacobs	Lowery	Thompson
Dayton	Kellogg	McGowan	Wood
Dickinson			21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release certain lands which have escheated to the State to Eliza Blain, widow of John Blain, late of the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	King	Middleton
Bradley	Fox	Laning	Robertson
Coe	Gross	Ledwith	Selkreg
Cole	Jacobs	Lowery	Thompson
Dayton	Johnson	McGowan	Wood
Dickinson	Kellogg		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend section 1 of chapter 261 of the Laws of 1874, entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845, passed April 27, 1874," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	King	Middleton
Bradley	Fox	Laning	Robertson
Coe	Gross	Ledwith	Selkreg
Cole	Jacobs	Lowery	Thompson
Dayton	Johnson	McGowan	Wood
Dickinson	Kellogg		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the bill entitled "An act to amend the charter of the Ithaca Mechanics' Society," with a message that they had concurred in the passage of the same, with the following amendment :

Amend the title so as to read as follows :

"An act to amend chapter 79 of the Laws of 1835, entitled 'An act to incorporate the Ithaca Mechanics' Society.'"

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Kellogg	Robertson
Bradley	Dow	Laning	Selkreg
Coe	Fox	Ledwith	Thompson
Cole	Gross	Lowery	Wood
Dayton	Jacobs	Middleton	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows :

"An act to amend an act entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk,' passed May 27, 1873."

After some time spent therein the President resumed the chair, and Mr. Dickinson, from said committee, reported progress on said named bill, and asked and obtained leave to sit again.

Mr. Wood, from the committee on engrossed bills, reported as correctly re-engrossed the bill entitled as follows :

"An act to amend chapter 79 of the Laws of 1835, entitled 'An act to incorporate the Ithaca Mechanics' Society.'"

Mr. Jacobs offered the following :

Resolved, That all bills amendatory of existing statutes reported to the Senate be so printed that each section shall show, by the use of italics, the precise language of each proposed amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Selkreg offered the following :

Resolved (if the Assembly concur), That the usual number of the Insurance Reports (ten copies for each member, officer, and reporter), be printed as heretofore, and 1,500 copies of the Fire and Marine Reports, and 2,000 copies of the Life Report, bound separately, for the use of the Superintendent of the Insurance Department.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Middleton, the Senate adjourned.

WEDNESDAY, MARCH 3, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Canandaigua by conferring upon the trustees thereof the power to restrain and regulate the construction of wooden buildings and roofs in said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend title 3 of chapter 621 of the Laws of 1857, entitled 'An act to condense and amend the several acts incorporating or relating to the village of Skaneateles,' passed April 16, 1857, and the various acts amending the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act supplementary to chapter 55 of

the Laws of 1861, entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March 19, 1861, and to provide for the future custody of said hall," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to incorporate the West Sandlake Fire Company in the town of Sandlake, Rensselaer county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on manufactures to which was recommitted the bill entitled 'An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 1, 1868," reported adversely thereto, which report was agreed to, and said bill rejected.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Robertson moved to reconsider the vote by which the resolution requesting the committee on the judiciary to report a general and uniform system of elections in the several town and cities of this State was adopted, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize and confirm the official acts of William P. Lee as notary public in the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize and confirm the official acts of Robert Payne as notary public," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the better care of pauper and destitute children," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owner," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to compensate justices of the supreme

court for their expenses while engaged in holding courts not regularly assigned to the justice holding the same," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the revision of the statutes of the State of New York,' passed March 2, 1870," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Booth, from the committee on literature, to which was referred the Assembly bill entitled "An act to repeal chapter 171 of the Laws of 1853, entitled 'An act to establish a free school in district No. 3, in the town of Cherry Valley,' passed April 11, 1853," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the Assembly bill entitled "An act for the relief of school district No. 17 of the town of Southport, in the county of Chemung," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the Assembly bill entitled "An act to confirm the official acts of the trustees of the Delaware Literary Institute," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act concerning the Hahnemann Hospital of the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print, for the use of the Senators, copies of the new Constitution, reported in favor of the adoption of the following resolution :

Resolved, That there be printed for the use of the Senators 320 copies of the new Constitution, being ten copies for each member, to be distributed by the Clerk.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	King	Ray
Bradley	Dow	Laning	Robertson
Cole	Fox	Ledwith	Selkreg
Connelly	Jacobs	Middleton	Thompson
Dayton	Kellogg		

18

FOR THE NEGATIVE.

Lowery

1

Mr. Middleton moved to reconsider the vote by which said report was agreed to, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print copies of the Insurance Report, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That the usual number of the Insurance Reports (ten copies for each member, officer, and reporter), be printed as heretofore, and 1,500 copies of the Fire and Marine Reports, and 2,000 copies of the Life Report, bound separately, for the use of the Superintendent of the Insurance Department.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Gross	Ledwith	Selkreg
Cole	Jacobs	Lowery	Thompson
Connelly	Johnson	McGowan	Tobey
Dayton	Kellogg	Middleton	Wood
Dickinson	King	Ray	

23

FOR THE NEGATIVE.

Coe

1

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Johnson moved that the Assembly bill entitled "An act to amend the charter of the village of Canandaigua by conferring upon the trustees thereof the power to restrain and regulate the construction of wooden buildings and roofs in said village," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto :

"An act in relation to the census or enumeration of the inhabitants of this State."

Ordered, That the Clerk return said bill to the Assembly.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders ; and, after some time spent therein, the hour of twelve o'clock having arrived, the President resumed the chair and announced executive session.

Mr. Johnson moved that the executive session be postponed until half-past one o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate, in committee of the whole, resumed the consideration of general orders, being the bill entitled as follows :

"An act to conform all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, and for the supervision and administration of their affairs."

After some time spent therein the President resumed the chair, and Mr. McGowan, from said committee, reported progress on said named bill, and asked and obtained leave to sit again.

The hour of half-past one o'clock, P. M., having arrived, the President announced executive session.

Mr. Bradley moved that the executive session be postponed five minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence the bill entitled as follows :

"An act to amend an act entitled 'An act to amend the several acts relating to the city of Rochester,' passed May 20, 1872," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Fox	Ledwith	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dickinson	King	Parmenter	Wood
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Senate then went into executive session ; and, after some time spent therein, the doors were opened and legislative business resumed.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Tobey moved that the bill entitled "An act authorizing life, fire, and marine insurance companies to invest their surplus funds in certain other States to meet their obligations incurred in such States," be recommended to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Middleton moved to take from the table the motion to reconsider the vote agreeing to the report of the committee on public printing relative to printing 320 copies of the amended Constitution.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said report was adopted, and it was decided in the affirmative.

Mr. Middleton moved to amend the report as follows :

"*Resolved* (if the Assembly concur), That there be printed five copies of the new Constitution for each member of the Legislature, at a cost not to exceed fifty cents for each copy."

Mr. Gross moved to amend said amendment of Mr. Middleton by inserting, after the word "copies," the words "in pamphlet form," and striking out the words "at a cost not to exceed fifty cents for each copy."

The President put the question whether the Senate would agree to said motion of Mr. Gross, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Middleton, as amended, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said report, as amended, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Kellogg	Ray
Bradley	Dow	Laning	Selkreg
Coe	Fox	McGowan	Thompson
Connelly	Gross	Middleton	15

FOR THE NEGATIVE.

Johnson	Lowery	2
---------	--------	---

Mr. Middleton moved to reconsider the vote by which said amended report was disagreed to, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

On motion of Mr. McGowan, the Senate adjourned.

THURSDAY, MARCH 4, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Robertson, from the committee on the judiciary, to which was recommitteed the bill entitled "An act authorizing life, fire, and marine insurance companies to invest their surplus funds in certain other States to meet their obligations incurred in such States," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, in pursuance of the authority contained in chapter 241 of the Laws of 1872,"

reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Trustees of the Sustentation Fund of the Reformed Episcopal Church," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the following entitled bill, with a message that they had non-concurred in the passage of the same :

"An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases.'"

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to provide for the incorporation of boards of trade," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof," with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee, on their part, Messrs. G. Taylor, McGowan, Schieffelin, Stacy, and Russell.

Mr. Lord moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Booth, Dickinson, and Laning.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon.

The Assembly sent for concurrence a resolution in the words following :

"*Whereas*, By the terms of a contract, made December 28, 1871, between George Worthington and the Commissioners of the Elmira Reformatory, the sum of six thousand eight hundred and eleven dollars and eighty-three cents was retained by said Commissioners, being fifteen per cent on the amount of estimates for materials furnished for said building, which amount has been certified as due and unpaid by said Commissioners in their report to the Legislature dated January 8, 1875; and whereas, the said Commissioners were, by chapter 323 of the Laws of 1874, removed from office and a superintending builder was appointed; and whereas, doubt exists as to the power to pay said sum; therefore,

"*Resolved* (if the Senate concur), That the Comptroller be directed to issue his warrant for the payment of said sum of six thousand eight hundred and eleven dollars and eighty-three cents to the said George Worthington."

Ordered, That said resolution be laid upon the table.

The Assembly returned the Assembly bill entitled "An act to amend

section 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed, by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,' with a message that they do not concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee, on their part, Messrs. Hammond, Vosburgh, W. Johnson, Alvord, and Husted.

Mr. Wood moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Wood, Robertson, and Lord.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon.

The Assembly returned the concurrent resolutions for printing 2,000 copies of the Report of the New York State Institution for the Blind; 2,000 extra copies of the pamphlet relating to Out-door Relief, by Martin B. Anderson; 2,000 extra copies of the pamphlet relating to Pauper and Destitute Children, by Wm. P. Letchworth, with messages that they had concurred in the passage of the same, respectively.

The Assembly returned the bill entitled as follows:

"An act to amend chapter 79 of the Laws of 1885, entitled 'An act to incorporate the Ithaca Mechanics' Society.'"

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received and read, as follows:

Resolved, That a respectful message be sent to the honorable the Senate requesting that body to return to this House the Senate bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases.'"

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly.

Mr. Johnson offered the following:

Resolved, That the Auditor of the Canal Department be respectfully requested to report to the Senate, with as little delay as practicable, the amount of money expended (other than for payments to contractors for contract work, the payment of awards made by the Canal Appraisers, and expenditures by superintendents), on each of the canals embraced within each of the three divisions of said canals, by the Canal Commissioner in charge of each division, from the 1st day of January, 1874, to the 1st day of January, 1875; the name of each deputy, agent or assistant employed by him, and the length of time they or either of them were so employed; the amount of salary paid to each or either of them, and under what provision of law is found the authority for the employment of such deputy, agent or assistant; the quantity, quality, and kind of materials purchased; the price paid, of whom purchased, and when used; the name of each and every man employed; the length of time employed; the kind of service rendered, and upon what canal, and the amount of money paid to each.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, and for the supervision and administration of their affairs."

After some time spent therein, the President resumed the chair, and Mr. McGowan, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Tobey, from the committee on insurance, to which was referred the bill entitled "An act to amend the charter of the Arctic Fire Insurance Company in the city of New York, and to correct an act amending said charter, passed February 26, 1873," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tobey, from the committee on insurance, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Kellogg moved that the committee on roads and bridges be discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Booth, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Rochester to raise money to provide for the deficiencies in the funds of the board of education," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend section 46 of title 10 of an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, relative to the jurisdiction of ward justices of the peace," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to confirm the proceedings of the board of supervisors of the county of New York in the authorization of the appointment of assistant keepers at the county jail, in said county, and for the relief of the persons so appointed," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the city of Rochester to issue its bonds for the construction of a new school building," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act supplementary to chapter 80 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, and the committee of the whole were discharged from the further consideration of the Assembly bill entitled "An act for the relief of school district No. 17 of the town of Southport, in the county of Chemung," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	King	Ray
Bradley	Fox	Laning	Robertson
Cole	Gross	Ledwith	Selkreg
Connelly	Jacobs	Lord	Thompson
Dayton	Johnson	Lowery	Tobey
Dickinson	Kellogg	Madden	Wood
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Dow offered the following:

Resolved, That so much of the Report of the Regents of the University for the present year as relates to higher education be printed forthwith and placed on the files of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to provide for the election of county judge to fill vacancy occasioned by disability of age," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874, so far as the same relates to the sale, mortgage, or other disposition of the real estate of drunkards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Jacobs moved that the Senate do now take a recess until half-past seven o'clock this evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Connelly	Gross	King	Lowery	
Fox	Jacobs	Ledwith	Madden	8

FOR THE NEGATIVE.

Booth	Johnson	McGowan	Thompson	
Bradley	Kellogg	Ray	Tobey	
Dayton	Laning	Robertson	Wood	
Dow	Lord	Selkreg		15

On motion of Mr. Jacobs, the Senate adjourned.

FRIDAY, MARCH 5, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the town of Groton, Tompkins county, to issue bonds of longer date to take up and cancel bonds of said town falling due in 1876 and 1877," reported in favor of the passage of the same, with amendments, the title amended to read "An act to authorize the commissioners of the town of Groton, in the county of Tompkins, appointed under and by virtue of chapter 433 of the Laws of 1866 to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act, and falling due in 1876 and 1877," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act concerning the proofs of wills, executors and administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer,' passed May 5, 1870," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Gross, from the committee on the affairs of villages, to which was referred the bill entitled "An act to authorize the trustees of the village of Cooperstown to erect a building for the use of the fire department and other offices of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such

real estate and erecting such building," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr Lowery asked and obtained leave to introduce a bill entitled "An act to confirm the proceedings of the annual town meeting of New Hartford, Oneida county, held March 3, 1874, relative to reimbursing the collector or his sureties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to enable mutual insurance companies organized under general laws to amend their charters on certain conditions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to proceedings in surrogates' courts and to the fees of surrogates, and to the compensation of executors and administrators, and to a clerk for surrogates,' passed May 2, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Thompson asked and obtained leave to introduce a bill entitled "An act to incorporate and change the name of the Associate Congregation of Bovina, and to authorize said society to take and hold by gift, devise, purchase or otherwise, real and personal estate, and to sell their glebe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend the charter of the village of Canandaigua by conferring upon the trustees thereof the power to restrain and regulate the construction of wooden buildings and roofs in said village."

"An act to regulate the sale of baled hay and straw in the State of New York."

"An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn."

After some time spent therein the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of the first named bill, which report was agreed to.

On motion of Mr. Johnson, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Ray
Bradley	Jacobs	Lowery	Robertson
Coe	Johnson	Madden	Selkreg
Cole	Kellogg	McGowan	Thompson
Connelly	Laning	Middleton	Tobey
Dow	Ledwith	Parmenter	Wood

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Selkreg, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Selkreg, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Laning presented the following report:

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof," having met and duly considered the same, have agreed to recommend as follows:

Amend section 20 by striking out the concluding portion thereof, as follows:

"In any suit brought by or against said city, or in any suit brought by or against any of its officers for any official acts, the city attorney shall have the right to move such action as a preferred case at any circuit or general term of the supreme court, on giving notice of his intention so to do."

All of which is respectfully submitted.

GEORGE TAYLOR,
THOS. MCGOWAN,
ALLEN S. RUSSELL,
CHAS. M. SCHIEFFELIN,
O. T. STACY,

A. P. LANING,
JAMES W. BOOTH,
Senate Committee.

Assembly Committee.

March 4, 1875.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Parmenter
Bradley	Jacobs	Lord	Robertson
Coe	Johnson	Lowery	Selkreg
Cole	Kellogg	Madden	Thompson
Connelly	King	McGowan	Tobey
Dayton	Laning	Middleton	Wood
Dow			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Lowery moved that an executive session of the Senate be held at one o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to authorize the county of Essex to borrow money for the purpose of enlarging, repairing, and improving its county poor-house, and to authorize the issue of bonds and provide for the payment thereof."

"An act to repeal an act entitled 'An act to increase the rates of ferriage between the city of Hudson, in the county of Columbia, and the village of Athens, in the county of Greene,' passed May 15, 1873."

Assembly, "An act to amend an act entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk,' passed May 27, 1873."

After some time spent therein, the President resumed the chair, and Mr. Dayton, from said committee, reported in favor of the passage of the first named bill, which report was agreed to.

Mr. Tobey moved that said bill do now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Ray
Bradley	Gross	Lord	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	Kellogg	Madden	Tobey
Dayton	King	McGowan	Wood
Dow			

21

On motion of Mr. Tobey, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

Mr. Dayton, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dayton, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Jacobs moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act authorizing the adjudication and settlement of certain claims arising out of the defalcation of the late treasurer of Columbia county with this State and said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood moved that the further consideration of the bill entitled "An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, for the supervision, and the administration of their affairs," be made a special order for Tuesday morning next immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Fox moved that when the Senate adjourns to-day it adjourns to meet on Monday evening next at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders; and, after some time spent therein, the hour of one o'clock having arrived, the President resumed the chair and announced executive session.

Mr. Johnson moved that the executive session be postponed five minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate, in committee of the whole, resumed the consideration of general orders, being the bills entitled as follows:

"An act to amend 'An act giving the consent of the State of New York to the purchase by the United States of certain property in the counties of Queens and Richmond, and to cede to the United States jurisdiction thereof,' passed April 16, 1857."

"An act to amend an act entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851."

"An act supplementary to chapter 55 of the Laws of 1861, entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March 19, 1861, and to provide for the future custody of said hall."

After some time spent therein the President resumed the chair, and Mr. Lord, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Lord, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Wood called for the consideration of the resolution in the words following:

"Whereas, By the terms of a contract made December 28, 1871, between George Worthington and the Commissioners of the Elmira Reformatory, the sum of \$6,811.88 was retained by said Commissioners, being fifteen per cent on the amount of estimates for materials furnished for said building, and which amount has been certified as due and unpaid by said Commissioners in their report to the Legislature dated January 8, 1875; and whereas, the said Commissioners were, by chapter 323 of the Laws of 1874, removed from office and a superintending builder was appointed; and whereas, doubt exists as to the power to pay said sum; therefore,

"Resolved (if the Senate concur), That the Comptroller be directed to issue his warrant for the payment of the said sum of \$6,811.88 to the said George Worthington."

Mr. Wood moved to amend the preamble of said resolution by striking out the words "removed from office and," and inserting in lieu thereof the words "superceded in relation to the construction of said Reformatory by."

Also, strike out the word "was," after the words "superintending builder," and insert, after the word "appointed," the word "therefor."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

On motion of Mr. Jacobs, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and

On motion of Mr. Gross, the Senate adjourned.

MONDAY, MARCH 8, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, March 5, was read and approved.

Mr. Selkreg presented four remonstrances of inhabitants of the town of Binghamton against the proposed extension of the limits of the city of Binghamton; which was read and referred to the committee on the affairs of cities.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize a tax to be levied upon the town of Potsdam to build a town house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to legalize the acts of the officers of the village of Newark," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to repeal chapter 419 of the Laws of 1874, entitled 'An act to enable the town of Sardinia, Erie county, to raise money to build a town hall,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to repeal chapter 30 of the Laws of 1853, entitled 'An act to consolidate road districts eighteen and nineteen in the town of Ledyard, in the county of Cayuga, and to provide for the election of a pathmaster in said district,' passed March 14, 1853, and all acts in addition to and amendatory thereof," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on roads and bridges.

"An act to further amend chapter 346 of the Laws of 1863, entitled 'An act empowering railroad companies to employ police force,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to further amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend chapter 433 of the Laws of 1874, entitled 'An act relative to the Metropolitan Drawing-Room Car Company,' passed May 10, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to provide for the support of government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874 for the construction of new work upon, and extraordinary repairs of, the canals of this State,' passed May 9, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates, to change and alter the course and channel of a stream of water known as 'Big Stream,' where the same passes through the village of Dundee in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act in relation to the reduction of the capital stock of banks, banking associations, individual bankers, and other moneyed corporations, and for other purposes."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the concurrent resolution directing the payment of \$6,811.83 by the Comptroller to George Worthington for materials furnished for the Elmira Reformatory, with a message that they had concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said resolution to the Assembly.

The Assembly returned the following entitled bill, with a message that they had agreed to the report of the committee of conference thereon :

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," with a message that they had passed the same, with the following amendments :

Section 1, line 1, strike out the words "An act," and insert in lieu thereof the words "chapter 671 of the Laws of 1857."

Line 3, after the words "New York," strike out all down to and including the word "seven," in line 4, and insert, in line 4, after the word "hereby," the word "further."

Line 11, strike out the word "Throga," and insert in lieu thereof the words "one mile east of "Sands."

Line 19, after the word "liable," insert the words "and such offense is hereby made a misdemeanor, and every person committing such offense may, upon being found guilty thereof, be punished therefor by fine not exceeding one hundred dollars, or by both, at the discretion of the court, upon the complaint of said commissioners, their agent, or any other person."

Line 20, after the word "constructed," insert the words "below the water line."

Line 26, strike out all after the word "steamboat," and all of line 27.

Section 2, line 3, strike out the word "said," and change the word "the" to "this."

Section 3, line 8, insert, after the word "or," the word "steam."

Strike out all of section 4.

Amend the title so as to read as follows:

"An act to amend chapter 671 of the Laws of 1857, entitled 'An act to establish regulations for the port of New York.'"

Mr. King moved that the Senate do non-concur in said amendments, that a committee of conference be appointed thereon, and the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. King, Booth, and Laning.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in said amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to authorize the commissioners of the town of Richford, in the county of Tioga, appointed under and by virtue of chapter 493 of the Laws of 1866, to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act, and falling due in 1876 and 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act to authorize appropriations for the adult blind in the city of New York not provided for in public or private institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. King offered the following :

Resolved (if the Assembly concur), That 500 copies of the Report of the Commissioners of Emigration be printed for the use of the Commissioners, and to be distributed by them to the several superintendents of the poor of the State, and to the various societies which have hitherto been supplied with copies of such reports.

Ordered, That said resolution be laid upon the table.

Mr. King offered the following :

Resolved (if the Assembly concur), That there be printed, for the use of the Commissioners, 1,000 copies of Assembly Document No. 38, being the report and accompanying papers of the Commissioners in regard to quarantine jurisdiction between New York and New Jersey.

Ordered, That said resolution be laid upon the table.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to provide for the discharge of judgments against persons discharged under the United States bankrupt law."

"An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners."

"An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cattaraugus reservation, and to provide for its management and maintenance."

After some time spent therein the President resumed the chair, and Mr. Ledwith, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Ledwith, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ledwith, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. McGowan moved that the committee on canals be discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874 for the construction of new work upon, and extraordinary repairs of, the canals of this State,' passed May 9, 1874," and that the same be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, no quorum voting, as follows :

FOR THE AFFIRMATIVE.

Booth	Kellogg	Lord	Parmenter
Connelly	King	Lowery	Robertson
Dow	Ledwith	McGowan	Wood
Johnson			

13

FOR THE NEGATIVE.

Dayton Laning

2

On motion of Mr. Johnson, the Senate adjourned.

TUESDAY, MARCH 9, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Parmenter presented a petition for the release of the title of the State in certain lands of William Bates, deceased; which was read and referred to the committee on the judiciary.

Mr. Wellman presented a petition of citizens of Allegany county asking the passage of an act in relation to "tramps;" which was read and referred to the committee on the judiciary.

Mr. Gross presented a petition of the German Society of the city of New York asking that the president thereof, and also the president of the Irish Emigrant Society, be restored to full membership in the Board of Commissioners of Emigration.

Mr. Gross moved that said petition be laid upon the table and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. 58.)

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to regulate the sale of baled hay and straw in the State of New York."

"An act to repeal an act entitled 'An act to increase the rates of ferriage between the city of Hudson, in the county of Columbia, and the village of Athens, in the county of Greene,' passed May 15, 1873."

"An act to amend 'An act giving the consent of the State of New York to the purchase by the United States of certain property in the counties of Queens and Richmond, and to cede to the United States the jurisdiction thereof,' passed April 15, 1857."

"An act to amend an act entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851.'"

"An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners."

Mr. McGowan, from the committee on canals, to which was referred the Assembly bill entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874 for the construction of new work upon, and extraordinary repairs of, the canals of this State,' passed May 9, 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Wellman asked and obtained leave to introduce a bill entitled "An act in relation to mortgages made by manufacturing companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to release the title and interest of the people of the State of New York in and to certain real estate in the county of Orleans to the heirs of William Bates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to confirm and legalize certain acts of the common council of the city of Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Thompson asked and obtained leave to introduce a bill entitled "An act in relation to the powers and jurisdiction of surrogate's courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to legalize and confirm the official acts of Ensworth D. Babcock as notary public in the town of Adams, Jefferson county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to regulate the supply of stationery for the officers and reporters of the Legislature," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the Act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to prevent the deposit of carrion, offal, or dead animals in the North and East rivers, or in the bay of New York, or Raritan bay within the jurisdiction of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Moriah, in the county of Essex," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to provide for the aid and support of the poor in the various counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to establish a board of health in and for the city of Brooklyn,' passed March 20, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Jacobs moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," with a message that they assent to a committee of conference thereon, and have appointed as such committee, on their part, Messrs. Vosburgh, Smith, Christopher, Clark, and Daggett.

The Assembly bill entitled "An act to provide for the discharge of judgments against persons discharged under the United States bankrupt law," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Robertson
Bradley	Jacobs	Lowery	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dayton	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Woodin
Dow			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the appointment of an additional assistant district attorney for the county of Kings, and for his compensation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Robertson
Cole	Jacobs	Lord	Thompson
Connelly	Johnson	Lowery	Tobey
Dickinson	Kellogg	Parmenter	Wellman
Dow	Laning	Ray	Wood

20

FOR THE NEGATIVE.

Booth	King	Middleton	Selkreg
Coe			

5

When the name of Mr. Johnson was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the negative.

Mr. Johnson subsequently voted in the affirmative.

When the name of Mr. Woodin was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Robertson
Bradley	Jacobs	Lowery	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	Kellogg	Middleton	Wellman
Dickinson	King	Parmenter	Wood
Dow	Laning	Ray	Woodin

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend 'An act giving the consent of the State of New York to the purchase by the United States of certain property in the counties of Queens and Richmond, and to cede to the United States the jurisdiction thereof,' passed April 15, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Bradley	Gross	Lowery	Selkreg
Coe	Jacobs	McGowan	Thompson
Cole	Johnson	Middleton	Wellman
Connelly	Kellogg	Parmenter	Wood
Dayton	King	Ray	Woodin
Dickinson	Laning		

26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to regulate the sale of baled hay and straw in the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	King	Robertson
Bradley	Gross	Lowery	Selkreg
Coe	Jacobs	Middleton	Thompson
Cole	Johnson	Parmenter	Wellman
Connelly	Kellogg	Ray	Wood
Dayton			

21

FOR THE NEGATIVE.

Dow	Laning	Lord	3
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Mr. Bradley moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Laning	Robertson	Wellman
Dow	Lord	Selkreg	Woodin
Johnson	Middleton	Thompson	

11

FOR THE NEGATIVE.

Coe	Dayton	Gross	King
Cole	Dickinson	Kellogg	McGowan
Connelly			

9

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to repeal an act entitled 'An act to increase the rates of ferriage between the city of Hudson, in the county of Columbia, and the village of Athens, in the county of Greene,' passed May 15, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Selkreg
Coe	Jacobs	Lowery	Thompson
Cole	Kellogg	McGowan	Wellman
Connelly	King	Middleton	Wood
Dayton	Laning	Robertson	Woodin
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851," having been announced for a third reading,

On motion of Mr. Bradley, and by unanimous consent, was amended as follows :

Section 1, line 12, strike out the word "Thornby," and insert in lieu thereof the word "Hornby."

Section 2, line 6, strike out the word "increased," and insert in lieu thereof the word "incurred."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	McGowan	Selkreg
Bradley	King	Middleton	Thompson
Coe	Laning	Parmenter	Wellman
Cole	Lord	Ray	Wood
Connelly	Lowery	Robertson	Woodin
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. McGowan offered the following :

Resolved, That the Assembly bill entitled "An act to amend 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874 for the construction of new work upon, and extraordinary repairs of, the canals of this State,' passed May 9, 1874," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, the committee on the affairs of villages were discharged from the further consideration of the Assembly bill entitled 'An act to legalize the acts of the officers of the village of Newark,' and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lowery	Selkreg
Bradley	Dow	McGowan	Thompson
Coe	Gross	Middleton	Tobey
Cole	Kellogg	Parmenter	Wellman
Connelly	King	Ray	Wood
Dayton	Laning	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to conform all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks for the supervision and administration of their affairs."

Assembly, "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874 for the construction of new work upon, and extraordinary repairs of, the canals of this State,' passed May 9, 1874."

After some time spent therein the President resumed the chair, and Mr. Dayton, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Wood moved that the further consideration of said bill be made a special order for to-morrow morning immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Dayton, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. McGowan, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	McGowan	Selkreg
Coe	Johnson	Middleton	Thompson
Cole	Kellogg	Parmenter	Tobey
Connelly	King	Ray	Wellman
Dayton	Ledwith	Robertson	Wood
Dickinson	Lowery		

22

FOR THE NEGATIVE.

Bradley	Gross	Jacobs	Lord
Fox			

5

On motion of Mr. McGowan, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Tobey, and by unanimous consent, the rules were suspended, the committee on finance were discharged from the further consideration of the bill entitled "An act to extend the time for the collection of taxes in the town of Moriah, in the county of Essex," and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	McGowan	Selkreg
Cole	Kellogg	Middleton	Thompson
Connelly	King	Parmenter	Tobey
Dayton	Laning	Ray	Wellman
Dow	Ledwith	Robertson	Wood
Jacobs	Lowery		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act to extend the time for the collection of taxes in the town of Moriah, in the county of Essex."

On motion of Mr. Dow, the Senate adjourned.

WEDNESDAY, MARCH 10, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Ray presented a petition of citizens of Columbia county praying for an amendment to the law relating to speckled trout; which was read and referred to the committee on internal affairs.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to repeal chapter 30 of the Laws of 1853, entitled 'An act to consolidate road districts eighteen and nineteen in the town of Ledyard, in the county of Cayuga, and to provide for the election of a pathmaster in said district,' passed March 14, 1853, and all acts in addition to and amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King called for the consideration of the resolution in the words following:

Resolved (if the Assembly concur), That there be printed, for the use of the Commissioners, 1,000 copies of Assembly Document No. 38, being the report and accompanying papers of the Commissioners in regard to quarantine jurisdiction between New York and New Jersey.

Mr. King moved that said resolution be referred to the committee on public printing.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King called for the consideration of the resolution in the words following:

Resolved (if the Assembly concur), That 500 copies of the Report of the Commissioners of Emigration be printed for the use of the Commissioners, and to be distributed by them to the several superintendents of the poor of the State, and to the various societies which have hitherto been supplied with copies of such reports.

Mr. King moved that said resolution be referred to the committee on public printing.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Middleton moved that the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin moved that said bill be considered in the first committee of the whole not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Woodin moved that the committee on the affairs of cities be discharged from the further consideration of the Assembly bill entitled 'An act to amend an act entitled 'An act in relation to the city of Yonkers,' passed March 8, 1873," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Booth moved that the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," be recommitted to the committee on the affairs of cities, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853."

Assembly, "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks for the supervision and the administration of their affairs."

After some time spent therein the President resumed the chair, and Mr. McGowan, from said committee, reported progress on said named bills, and asked and obtained leave to sit again.

Mr. Middleton moved that the first named bill be recommitted to the committee on insurance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood moved that the further consideration of the last named bill be made a special order for to-morrow morning immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the commissioners of the town of Richfield, in the county of Tioga, appointed under and by virtue of chapter 433 of the Laws of 1866 to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town, under and by virtue of said act, and falling due in 1876 and 1877," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Gross, and by unanimous consent, the rules were suspended, and said bill ordered to be considered in the first committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act for the incorporation of villages," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize Abraham C. Waldron and Simon Vischer (the only surviving members of the consistory of 'the ministers, elders, and deacons of the Reformed Protestant Dutch Church at Halfmoon),' as a board of commission to alienate certain real estate belonging to said incorporation," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ledwith moved that the Senate hold an executive session at two o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act relative to the Farmers' Loan and Trust Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Lowery, from the committee on banks, to which was referred the bill entitled "An act to amend 'An act to authorize the business of banking,' passed April 18, 1838," reported adversely thereto, which report was agreed to, and said bill rejected.

The hour of two o'clock having arrived, the Senate went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Lowery, the Senate adjourned.

THURSDAY, MARCH 11, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

By unanimous consent, Mr. Cole asked and obtained leave to introduce a bill entitled "An act to enable a wife to be a witness against her husband, or on behalf of another party, in cases of criminal conversation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to authorize the boards of supervisors of the several counties of the State to appoint notaries public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm the proceedings of the annual town meeting of New Hartford, Oneida county, held March 3, 1874, relative to reimbursing the collector or his sureties," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to improve and simplify law reports," reported adversely thereto, which report was agreed to, and said bill rejected.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to widen and improve a portion of Washington avenue, in the city of Brooklyn, and extend the same into the town of Flatbush,' passed April 23, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the Act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof, and also to repeal the 'Act to establish a capital police district, and to provide for the government thereof,' passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the consolidation of certain railroad corporations,' passed May 20, 1869," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend chapter 433 of the Laws of 1874, entitled 'An act relative to the Metropolitan Drawing-Room Car Company,' passed May 10, 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act providing for the appointment of additional notaries public," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Lord, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

Said bill having been announced for a third reading,

On motion of Mr. Thompson, and by unanimous consent, was amended as follows :

Add, at the end of section 1, the following :

"Provided, however, that in each county which is a single Assembly district the additional number of notaries be fifteen."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Selkreg
Bradley	Gross	Lowery	Thompson
Cole	Jacobs	Middleton	Wellman
Connelly	King	Parmenter	Wood
Dayton	Laning	Ray	Woodin
Dow	Ledwith	Robertson	

23

FOR THE NEGATIVE.

Dickinson

1

On motion of Mr. Lord, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

Mr. Gross moved to take from the table the question of agreeing to the adverse report of the committee on commerce and navigation relative to the Assembly bill entitled "An act in relation to the Commissioners of Emigration."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Pending the question of agreeing to said report,

Mr. Gross moved that said bill be recommitted to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act providing for the appointment of additional notaries public."

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon," reported in favor of the

passage of the same, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on manufactures, to which was referred the bill entitled "An act to extend the operation and effect of the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks for the supervision and administration of their affairs."

After some time spent therein the President resumed the chair, and Mr. Dickinson, from said committee, reported progress on said named bill, and asked and obtained leave to sit again.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act legalizing certain proceedings of a town meeting held in the town of Moriah, Essex county, on the first Tuesday of March, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An an act to amend an act entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or territories of the United States,' passed March 10, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Moore asked and obtained leave to introduce a bill entitled "An act to authorize the compromise of certain claims against the mayor, aldermen and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act submitting to the electors of the town of New Lots, in the county of Kings, the question of annexation to the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Jacobs, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Robertson
Connelly	Kellogg	McGowan	Thompson
Dayton	Laning	Middleton	Tobey
Dow	Ledwith	Moore	Wellman
Fox	Lord	Parmenter	Wood
Gross			

FOR THE NEGATIVE.

King

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act submitting to the electors of the town of New Lots the question of annexation to the city of Brooklyn."

The Assembly sent for concurrence the bill entitled as follows:

"An act to extend the time for the collection of taxes in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Kellogg, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Parmenter	
Connelly	Jacobs	Lord	Robertson	
Dayton	Kellogg	Lowery	Tobey	
Dow	King	McGowan	Wellman	
Fox	Laning	Middleton	Wood	20

FOR THE NEGATIVE.

Dickinson

1

On motion of Mr. Kellogg, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

Mr. Dayton offered the following:

Resolved, That 500 copies of the Annual Report of the Canal Appraisers be printed, with paper covers, for the use of the Board of the Appraisers.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Tobey, the Senate then went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Dow, the Senate adjourned.

FRIDAY, MARCH 12, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to mortgages made by manu

facturing companies," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act legalizing certain proceedings of a town meeting held in the town of Moriah, Essex county, on the first Tuesday of March, 1875," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the New York and Hudson Steamboat Company to mortgage its property," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to amend an act, passed May 27, 1873, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act with regard to testamentary dispositions of estates of decedents and gifts in case of death, or in contemplation of the division of an estate or property among offspring by a parent," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the better enforcement of certain penal laws," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print copies of Assembly Document No. 38, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That there be printed, for the use of the Commissioners, 1,000 copies of Assembly Document No. 38, being the report and accompanying papers of the Commissioners in regard to quarantine jurisdiction between New York and New Jersey.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Selkreg
Coe	Fox	Middleton	Thompson
Cole	Jacobs	Parmenter	Tobey
Connelly	Laning	Ray	Wellman
Dayton	Lord	Robertson	Wood

20

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print copies of the Report of the Commissioners of Emigration, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That 500 copies of the Report of the Commissioners of Emigration be printed for the use of the Commissioners, and to be distributed by them to the several superintendents of the poor of the State, and to the various societies which have hitherto been supplied with copies of such reports.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Selkreg
Coe	Gross	Middleton	Thompson
Cole	Jacobs	Parmenter	Tobey
Connelly	King	Ray	Wellman
Dayton	Laning	Robertson	Wood
Dow	Lord		

22

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The President presented the Annual Report of the Canal Appraisers; which was laid upon the table and ordered printed.

(See Doc. No. 60.)

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to authorize and direct the mayor, aldermen and commonalty of the city of New York to pay to the county of Westchester claims and demands due said county of Westchester from said city and county of New York, growing out of the annexation to said city and county of New York of the late towns of Morrisania, West Farms, and Kingsbridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to further amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships or ships or vessels using caloric engines,' passed April 12, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to regulate the use of certain slips, piers, and wharves on the North or Hudson river in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Coe asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, as amended by an act entitled 'An act to amend An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 1, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the Binghamton, Dushore and Williamsport Railroad Company to lay a

railroad track on the tow-path of that part of the Chenango Canal extension which lies south of the Susquehanna river,' passed June 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,' passed April 13, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another upon application to the supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to provide for the discharge of judgments against persons discharged under the United States bankrupt law."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to establish specie payments on all contracts or obligations payable in this State in dollars and made after January 1, 1879."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly sent for concurrence the bills entitled as follows:

"An act to provide for the aid and support of the poor in the counties of Erie, Kings, and New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act in relation to courts of record," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to enable married women to release and to confirm releases of dower and inchoate rights of dower in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend section 9 of chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies,' and in relation to agencies of such companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend an act entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners,' passed April 16, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend section 1, chapter 33 of the Laws of 1874, entitled 'An act to amend section 1 of chapter 381 of Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates, and Ontario,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act in relation to county treasurers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to convey to creditors a just division of the estates of debtors, who convey to assignees for the benefit of creditors,' passed April 13, 1860, and the acts amendatory thereof," with a message that they had concurred in the passage of the same, with the following amendments :

Strike out all after the enacting clause and insert the following :

"SECTION 1. Section three of chapter three hundred and forty-eight of the laws of eighteen hundred and sixty, is hereby amended so as to read as follows :

"§ 3. The assignee or assignees named in any such assignment shall, within *ten days after the delivery to the county judge of the inventory or schedule above specified* (and before he shall have power or authority to sell, dispose of, or convert, to the purposes of the trust, any of the assigned property), enter into a bond to the people of the State of New York, in an amount to be ordered and directed by the county judge of the county where such debtor or debtors resided at the date of such assignment, with sufficient sureties to be approved of by such judge, and conditioned for the faithful discharge of the duties of such assignee or assignees, and for the due accounting for all moneys received by such assignee or assignees, which bond shall be filed in the county clerk's office where the assignment is recorded.

"§ 2. Section four of said chapter is hereby amended so as to read as follows :

"§ 4. After the lapse of one year from the date of such assignment, the county judge of the county where such inventory is filed, shall, upon the petition of any creditor of such debtor or debtors, have power to issue a citation or summons compelling such assignee or assignees to appear before him and show cause why an account of the trust fund created by any such assignment shall not be made, and to decree payment of such creditors' just proportional part of such fund ; and such county judge shall also have the same power and jurisdiction to compel such accounting as is now possessed by surrogates in relation to the estates of deceased persons ; and also power to examine the parties to such assignment, and other persons, on oath, in relation to such assignment, and accounting and all matters connected therewith, and to compel their attendance for that purpose ; and the parties interested in such accounting shall have the same rights to appeal from any order or decree of such judge in the premises, as is now given from the decrees of surrogates in relation to the accounts of executors and administrators, *and such judge shall have the power to refer the said accounting to a referee or auditor, to be appointed by him for that purpose, to take and state such account ; and such referee shall have the same power to take the examination of any witnesses produced before him, and to compel their attendance and exam-*

ination, as a referee appointed by the supreme court to try and determine an action therein.

"§ 3. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act further to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors.'"

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Middleton	Thompson
Coe	King	Parmenter	Tobey
Cole	Laning	Ray	Wellman
Dayton	Lord	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

By unanimous consent, Mr. Gross, from the committee on banks, to which was referred the bill entitled "An act relative to the Farmers' Loan and Trust Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Coe offered the following:

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of the bill entitled "An act submitting to the electors of the town of New Lots, in the county of Kings, the question of annexation to the city of Brooklyn."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Coe	Dickinson	Middleton	Tobey
Cole	Dow	Selkreg	Wellman
Connelly	King	Thompson	Woodin
Dayton	Lowery		

14

FOR THE NEGATIVE.

Fox	Jacobs	Parmenter	Ray
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4

Ordered, That the Clerk deliver said resolution to the Assembly.

Mr. Tobey offered the following:

Resolved, That James I. Hart, postmaster of the Senate, be directed to make out the usual Statistical List of the Members and Officers of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

Mr. Jacobs offered the following:

Resolved, That the Superintendent of the Banking Department be requested to report, as soon as practicable, the expense of conducting the business of each savings bank in this State for the year ending December 31, 1874.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Middleton moved to take from the table Senate bill No. 27, entitled "An act to change the name of the Black River Insurance Company of Watertown, New York," and that the same be recommitted to the committee of the whole, resuming its place on the calendar.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Thompson offered the following:

Resolved (if the Assembly concur), That there be printed of the Eighth Annual Report of the State Board of Charities 1,500 copies for the use of the Board; 1,000 copies in paper covers, and 500 copies bound in muslin.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act submitting to the electors of the town of New Lots, in the county of Kings, the question of annexation to the city of Brooklyn."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Robertson moved that the Senate do now go into committee of the whole upon the Assembly bill entitled "An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property."

Mr. Wood moved to amend by adding thereto the bill entitled "An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks for the supervision and the administration of their affairs."

The President put the question whether the Senate would agree to said amendment of Mr. Wood, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then, in committee of the whole, proceeded to the consideration of said bills, as follows:

Assembly, "An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property."

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks for the supervision and the administration of their affairs."

After some time spent therein the President resumed the chair, and Mr. Fox, from said committee, reported in favor of the passage of the first named bill, which report was agreed to.

On motion of Mr. Laning, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Robertson
Bradley	Fox	Lowery	Selkreg
Cole	Gross	Middleton	Tobey
Connelly	King	Parmenter	Wellman
Dickinson	Laning	Ray	Wood

20

On motion of Mr. Laning, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

Mr. Fox, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Gross moved that when the Senate adjourns to-day it adjourns to meet on Monday evening next at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the resolution requesting the return of Senate bill entitled "An act submitting to the electors of the town of New Lots, in the county of Kings, the question of annexation to the city of Brooklyn," with a message that the same had passed the Assembly, and was not in possession of the House.

The Senate then went into executive session; and, after some time spent therein, the doors were opened and legislative business resumed.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to extend the time for the collection of taxes in the town of Moriah, in the county of Essex."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to legalize the acts of the board of trustees of the village of Charlotte," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," reported that they have had the same under consideration, and directed their chairman to report the same for the consideration of the Senate.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to amend chapter 344 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 13, 1860, and to define the term of office of the present acting and auditing superintendents of the poor," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Gross, the Senate adjourned.

MONDAY, MARCH 15, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, March 12, was read and approved.

The Assembly returned the bill entitled "An act to enable the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo to sell and convey certain lands," with a message that they had concurred in the passage of the same, with the following amendment:

Section 2, line 5, after the word "four," insert the words "entitled 'An act authorizing the Commissioners of the Land Office to convey certain lands to the city of Buffalo, and to the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo.'"

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Johnson	McGowan	Robertson
Connelly	King	Middleton	Selkreg
Dayton	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Wood
Fox	Lowery		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate existence," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 4, strike out the words "the act," and insert in lieu thereof the words "chapter 232 of the Laws of 1854."

Amend the title by striking out the words "the act," in line 6, and inserting in lieu thereof the words "chapter 232 of the Laws of 1854."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Johnson	McGowan	Robertson
Connelly	King	Middleton	Selkreg
Dayton	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Wood
Fox	Lowery		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to prohibit fishing near any fishways established by the State," with a message that they had concurred in the passage of the same, with the following amendment:

Section 4, strike out all after the word "which," in line 3, down to and including the word "reside," in line 5, and insert in lieu thereof the words "the offense was committed."

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	King	McGowan	Robertson
Connelly	Laning	Middleton	Selkreg
Dayton	Ledwith	Parmenter	Wellman
Dickinson	Lowery	Ray	Wood
Fox			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in foreign States and countries, and for other purposes, and to repeal chapter 308 of the Laws of 1858, and the acts amendatory thereof, together with so much of chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories,' and the acts amendatory thereof as authorizes the appointment by the Governor of this State of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in the Dominion of Canada," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to enable the board of education of the city of Brooklyn to sell certain lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the transfer of moneys held in trust to non-resident guardians and others, and to repeal chapter 59 of the Laws of 1870, entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or territories of the United States,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal chapter 645 of the Laws of 1873, entitled 'An act to alter the map or plan of the city of New York by extending Desbrosses street,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act further to amend chapter 275 of the Laws of 1872, entitled 'An act to authorize the trustees of the village of Flushing to issue bonds and raise money for the purchase of a steam fire engine, and for the mapping and establishment of lines and grades for the streets and public places in said village,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to further amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act further to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act in relation to the eligibility of electors of towns owning stocks of railway companies to be directors of such companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release the interest of the people of the State of New York in certain real estate to the town of Naples, Ontario county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize, ratify and confirm the official action of the board of assessors of the city of New York in designating the New Yorker Journal to publish notices in the year 1872 in relation to paving streets, laying cross-walks and building sewers in said city, and providing for payment for the publication of such notices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 476 of the Laws of 1859, entitled 'An act to supply vacancies in the office of justices of the peace of the several towns of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the time for the collection of taxes in the town of Plattsburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the following entitled bill, with a message that they had non-concurred in the passage of the same:

"An act to permit the Albany and Sandlake Plankroad Company to borrow money and make alterations and improvements."

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That there be printed for the use of the State Engineer's Department 750 additional copies, bound in cloth, of the State Engineer and Surveyor's Report on the canals for the fiscal year ending September 30, 1874.

Ordered, That said resolution be referred to the committee on public printing.

Also, the followingg:

Resolved (if the Senate concur), That there be printed and bound in cloth, under the direction of the State Engineer and Surveyor, the following number of copies of the Report on Railroads for the year ending September 30, 1874: For each Senator, member, officer, and reporter of the Senate and Assembly ten (10) copies, and for the State Engineer and Surveyor two thousand four hundred (2,400) copies; the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller on the several railroad companies of this State.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly returned the concurrent resolution requesting the Comptroller to transmit to the Senate the name of every officer and employee of the Senate and Assembly at the last session of the Legislature, the capacity in which employed, the time of service, and the amount of pay received by each, with a message that they had concurred in the passage of the same.

Mr. Lowery presented a petition of citizens of Utica and the town of New Hartford praying for the extension of Pleasant street in the city of Utica; which was read and referred to the committee on the affairs of cities.

Mr. Wellman presented a petition of citizens of Allegany county for restricting the manufacture and sale of alcoholic liquors; which was read and referred to the committee on internal affairs.

The President presented the Annual Report of the Society of the New York Hospital and Bloomingdale Asylum; which was laid upon the table and ordered printed.

(See Doc. No. 61.)

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to prohibit the throwing of cinders, ashes, refuse or garbage into the waters of Long Island sound, and into the bays and harbors opening into the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Lowery asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to regulate proceedings against corporations by injunction and otherwise,' passed April 7, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to amend chapter 137 of the Laws of 1865, passed March 17, 1865, entitled 'An act to amend chapter 196 of the Laws of 1854 regulating pilotage of the port of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Dickinson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857, passed June 23, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany."

"An act to change the name of the Black River Insurance Company of Watertown, New York."

Assembly, "An act to amend an act entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk,' passed May 27, 1873."

After some time spent therein, the President resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of the first and second named bills, with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Connelly, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson moved that the bill entitled "An act authorizing life, fire, and marine insurance companies to invest their surplus funds in certain other States to meet their obligations incurred in such States," be recommitted to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to amend title 3 of chapter 621 of the Laws of 1857, entitled 'An act to condense and amend the several acts incorporating or relating to the village of Skaneateles,' passed April 16, 1857, and the various acts amending the same."

"An act supplementary to chapter 55 of the Laws of 1861, entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March 19, 1861, and to provide for the future custody of said hall."

"An act to compensate justices of the supreme court for their expenses while engaged in holding courts not regularly assigned to the justice holding the same."

After some time spent therein the President resumed the chair, and Mr. Lord, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Lord, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Lord, from the same committee, reported that they had stricken out the enacting clause of the last named bill, and instructed the chairman to report that fact to the Senate, and recommend its concurrence therein.

Mr. Laning moved to disagree with the report of the committee, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

On motion of Mr. Lord, the Senate adjourned.

TUESDAY, MARCH 16, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Laning presented a remonstrance of the Union Iron Works of Buffalo against the passage of the act relative to licensing persons to take charge of steam boilers; which was read and referred to the committee on manufactures.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act supplementary to chapter 55 of the Laws of 1861, entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March 19, 1861, and to provide for the future custody of said hall."

"An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany."

"An act to change the name of the Black River Insurance Company of Watertown, New York."

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act in relation to the common schools in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Fox moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on engrossed bills, reported as correctly re-engrossed the bills entitled as follows:

"An act further to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors.'"

"An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of chapter 232 of the Laws of 1854, entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate existence."

"An act to prohibit fishing near any fishway established by the State."

"An act to enable the Charity Foundation of the Protestant Episcopal Church, in the city of Buffalo, to sell and convey certain lands."

"An act to amend chapter 694 of the Laws of 1865, entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees, and other charges payable by insurance companies of sister States,' passed May 11, 1865."

The bill entitled "An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Cole	Jacobs	McGowan	Thompson
Connelly	King	Middleton	Wagner
Dow	Laning	Ray	Wellman
Fox	Lord	Robertson	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk,' passed May 27, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Robertson
Bradley	Gross	Lord	Selkreg
Cole	Jacobs	McGowan	Thompson
Connelly	King	Middleton	Wagner
Dickinson	Laning	Ray	Wellman
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to change the name of the Black River Insurance Company of Watertown, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Selkreg
Cole	Gross	Lowery	Thompson
Connelly	Jacobs	McGowan	Wagner
Dickinson	King	Middleton	Wellman
Dow	Laning	Ray	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend title 3 of chapter 621 of the Laws of 1857, entitled 'An act to condense and amend the several acts incorporating or relating to the village of Skaneateles,' passed April 16, 1857, and the various acts amending the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Selkreg	
Cole	Gross	Lowery	Thompson	
Connelly	Jacobs	Madden	Tobey	
Dickinson	King	McGowan	Wagner	
Dow	Ledwith	Robertson	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. McGowan offered the following :

Resolved, That the Senate hold evening sessions on Tuesday and Thursday evenings until otherwise ordered.

Mr. Woodin moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to authorize the board of supervisors of Kings county to construct a suitable building for a work-house at the penitentiary, and to provide for the payment thereof," which was read first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to regulate elections in the city of Brooklyn,' passed May 7, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to incorporate the Hornellsville Fire Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to incorporate Rescue Hook and Ladder Company of Tonawanda, Erie county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to incorporate the Patrons' Fire Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees, and other charges payable by insurance companies of sister States,' passed May 11, 1865," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, line 1, strike out the words "an act," and insert in lieu thereof the words "chapter 694 of the Laws of 1865."

Last line of same section, strike out the words "or country."

Amend the title by striking out the words "an act," second occurring, and insert in lieu thereof the words "chapter 694 of the Laws of 1865."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Thompson
Bradley	Johnson	McGowan	Tobey
Cole	King	Middleton	Wagner
Connelly	Laning	Ray	Wellman
Dayton	Ledwith	Robertson	Wood
Dickinson	Lord	Selkreg	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Fox offered the following:

Resolved, That when the Senate adjourns to-day it adjourns until Thursday next at eleven o'clock, A. M.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Lord
Dayton	Jacobs	Ledwith	Ray
Fox	Johnson		

10

FOR THE NEGATIVE.

Booth	King	Robertson	Wagner
Cole	Lowery	Selkreg	Wellman
Connelly	Madden	Thompson	Wood
Dickinson	McGowan	Tobey	Woodin
Dow	Middleton		

18

The President presented a communication from the Superintendent of the Banking Department, in response to a resolution of the Senate, relative to the amount of balances and deposits in the several savings banks of the State; which was laid upon the table and ordered printed.

(See Doc. No. 62.)

Mr. Jacobs offered the following:

Resolved, That the Superintendent of the Banking Department be requested to inform the Senate, without delay, of the amount of surplus moneys held by each savings bank in this State, on the first of January, 1875.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city."

Assembly, "An act to amend the charter of the village of Dansville."

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks for the supervision and the administration of their affairs."

After some time spent therein the President resumed the chair, and Mr. Ray, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ray, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Ray, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Madden moved that the further consideration of said bill be made a special order for Wednesday evening at half-past seven o'clock, and that the Senate hold a session at that hour for the purpose."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof.

Mr. Jacobs moved that the Senate do now take a recess until half-past seven o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

On motion of Mr. Dow, the Senate adjourned.

WEDNESDAY, MARCH 17, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Kellogg presented a petition of the citizens of the village of Hamilton for an amendment to the village charter; which was read and referred to the committee on the affairs of villages.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to prohibit the throwing of cinders, ashes, refuse or garbage into the waters of Long Island sound, and into the bays and harbors opening into the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships, or ships or vessels using caloric engines,' passed April 12, 1852," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city."

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," reported adversely thereto, Senators Jacobs and Fox dissenting.

Mr. Gross moved to disagree with the report of the committee, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution, in the words following:

Whereas, The Board of Building Commissioners of the State Reformatory at Elmira, N. Y., made and executed certain contracts with John Riley, and certain other contracts with George W. Aldridge, for furnishing materials and doing certain work in the construction and erection of said Reformatory, copies of which said contracts appear in and form a part of Senate Document No. 22 for 1874; and,

Whereas, By the provisions of said contracts fifteen per cent of the amount due for work and materials furnished under said contracts was to be retained by the said Commissioners until the said contracts were completed, unless the work mentioned in said contracts should be suspended for the period of six months, in which event the retained percentage should be due and payable to said contractors; and,

Whereas, Work under said contracts has for more than six months been suspended, and other contracts for the work and materials embraced in said first-mentioned contracts, have been made with other parties, as appears by Assembly Document No. 19 of the present session; therefore,

Resolved (if the Senate concur), That the Comptroller be directed to issue his warrant to the said John Riley and to the said George W. Aldridge, or their assigns, for the following amounts, to wit: To the said John Riley the sum of eighteen thousand two hundred and nine dollars and eighty-two cents, and to the said George W. Aldridge the sum of twelve thousand five hundred and forty-six dollars and nineteen cents, which sums appear to be due the said contractors by Assembly Document No. 11 of the present session, being the report of the said Building Commissioners, dated January 8, 1875.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Ray
Bradley	Jacobs	McGowan	Wagner
Dayton	Johnson	Middleton	Wood
Dow	Laning	Moore	Woodin
Fox	Ledwith	Parmenter	

19

FOR THE NEGATIVE.

Kellogg	King	Lowery	Selkreg	4
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By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the bill entitled as follows:

"An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate existence."

"An act to prohibit fishing near any fishway established by the State."

"An act further to amend chapter 348 of the Laws of 1860, entitled 'An act to convey to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors.'"

"An act to enable the Charity Foundation of the Protestant Episcopal Church, in the city of Buffalo, to sell and convey certain lands."

"An act to amend chapter 694 of the Laws of 1865, entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees and other charges payable by insurance companies of sister States,' passed May 11, 1865."

"An act to authorize the village of Greenbush to issue bonds for the purpose of raising money."

"An act to release the interest of the people of the State of New York to Fritz Fanger, husband of Wilhelmina Fanger, deceased, in and to certain real estate situate in the town of Newtown, Queens county."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act for the preservation of fish in Chautauqua lake," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to amend certain sections of title 3, entitled 'Of partition of lands owned by several persons of chapter 5 of part 3 of the Revised Statutes,' and to repeal certain of the sections of said title," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Coe asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to orphan asylum societies at Brooklyn,' passed March 7, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to facilitate the closing up of insolvent and dissolved insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' passed March 25, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act relating to the repavement of streets, avenues, and highways in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Fox moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Kellogg asked and obtained leave to introduce a bill entitled "An act to amend chapter 485 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter,' which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Moore asked and obtained leave to introduce a bill entitled "An act to authorize the granting of allowances by surrogates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Lord asked and obtained leave to introduce a bill entitled "An act relating to the term of the office of clerk of the commission of appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend part 3, chapter 9, title 1, article 2 of the Revised Statutes relating to the writ of habeas corpus," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to extend the operation and effect of the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Moore	Thompson
Connelly	Laning	Parmenter	Tobey
Dayton	Ledwith	Ray	Wagner
Dow	Lowery	Robertson	Wellman
Gross	McGowan	Selkreg	Wood
Johnson	Middleton		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the charter of the village of Dansville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	McGowan	Thompson
Bradley	Johnson	Middleton	Tobey
Connelly	Kellogg	Moore	Wagner
Dayton	King	Parmenter	Wellman
Dow	Laning	Robertson	Wood
Gross	Lowery	Selkreg	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act supplementary to chapter 55 of the Laws of 1861, entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March 19, 1861, and to provide for the future custody of said hall," having been announced for a third reading,

On motion of Mr. King, and by unanimous consent, was amended as follows:

Strike out, in section 1, line 8, engrossed bill, the following:

"§ 3. All the powers and duties vested in the trustees of the village of Flushing, by and under section three of an act entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March nineteen, eighteen hundred and sixty-one, shall be and are hereby vested in."

Also, same section, lines 17, 18, 19, and 20, strike out the words "and it shall be the duty of the trustees of the town of Flushing and their successors to," and insert in lieu thereof the word "shall."

Same section, line 22, strike out the words "and they shall have power."

Line 23, insert, after the word "and," the word "they."

Section 2, line 23, strike out the words "said town," and insert, after the word "trustees," same line, the words of "said town."

Section 3, line 1, strike out the words "said town," and insert, after the word "trustees," same line, the words "of the said town."

Line 2, same section, insert the word "not" before the word "perform."

Same section, line 8, strike out the words "said town."

Line 9, same section, insert, after the word "trustees," the words "of said town."

Strike out all of section 4.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	McGowan	Robertson
Bradley	King	Middleton	Selkreg
Cole	Laning	Moore	Wagner
Connelly	Ledwith	Parmenter	Wellman
Dayton	Lowery	Ray	Wood
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Middleton offered the following:

Whereas, The Comptroller states in his Annual Report that there is danger, under present laws, that "heavy inroads will be made upon the capital of the United States Deposit Fund, which will have to be made good by a tax upon the people;" and whereas, he recommends that the investment of this fund be changed; therefore,

Resolved, That the committee on the judiciary be requested to examine the subject, and report, as soon as practicable, what legislation is needed for the security and maintenance of this Fund.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cattaraugus reservation, and to provide for its management and maintenance."

"An act to incorporate the West Sandlake Fire Company in the town of Sandlake, Rensselaer county."

Assembly, "An act to repeal chapter 171 of the Laws of 1850, entitled 'An act to establish a free school in district No. 3, in the town of Cherry Valley,' passed April 11, 1853."

After some time spent therein the President resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Connelly, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Connelly, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders; and, after some time spent therein, the hour of twelve o'clock having arrived, the President resumed the chair and announced executive session.

Mr. Johnson moved that the executive session be postponed until quarter before two o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate, in committee of the whole, resumed the consideration of general orders, being the Assembly bills entitled as follows:

"An act to legalize and confirm the official acts of William P. Lee as notary public in the city and county of New York."

"An act concerning the Hahnemann Hospital of the city and county of New York."

"An act to legalize the acts of the board of trustees of the village of Charlotte."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to incorporate the Trustees of the Sustentation Fund of the Reformed Episcopal Church."

"An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872."

"An act authorizing the adjudication and settlement of certain claims arising out of the defalcations of the late treasurer of Columbia county with this State and the said county."

After some time spent therein the President resumed the chair, and Mr. McGowan, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. McGowan, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGowan, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870."

"An act to amend the charter of the Arctic Fire Insurance Company in the city of New York, and to correct an act amending said charter, passed February 26, 1873."

Assembly, "An act to authorize the common council of the city of Rochester to raise money to provide for the deficiencies in the funds of the board of education."

After some time spent therein the President resumed the chair, and Mr. Wellman, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Wellman, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies.'"

"An act to authorize Abraham C. Waldron and Simon Vischer (the only surviving members of the consistory of 'the ministers, elders, and deacons of the Reformed Protestant Dutch Church at Halfmoon),' as a board of commission to alienate certain real estate belonging to said incorporation."

"An act to authorize the city of Rochester to issue its bonds for the construction of a new school building."

After some time spent therein the President resumed the chair, and Mr. Parmenter, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize and direct the mayor, aldermen and commonalty of the city of New York to pay to the county of Westchester claims and demands due said county of Westchester from said city and county of New York, growing out of the annexation to said city and county of New York of the late towns of Morrisania, West Farms and Kingsbridge," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize counties to meet deficien-

cies in the appropriation made for the relief of the poor," reported in favor of the passage of the same, with amendments, the title thereof amended so as to read "An act to authorize the supervisors of Kings county to meet deficiencies in the appropriations made for the relief and support of the poor for the year 1875," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to regulate proceedings against corporations by injunction and otherwise,' passed April 7, 1870," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act providing for the forfeiture of property in certain cases," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the boards of supervisors of the several counties of the State to appoint notaries public," reported adversely thereto.

Mr. Parmenter moved to disagree with the report, and that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Dayton	Johnson	Parmenter	Ray	4
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FOR THE NEGATIVE.

Booth	Fox	McGowan	Tobey	
Cole	King	Middleton	Wagner	
Connelly	Laning	Robertson	Wellman	
Dickinson	Lord	Selkreg	Woodin	
Dow	Lowery	Thompson		19

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill rejected.

Mr. Gross moved that the bill entitled "An act relative to the Farmers' Loan and Trust Company be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to authorize the commissioners of the town of Groton, in the county of Tompkins, appointed under and by virtue of chapter 433 of the Laws of 1866, to issue bonds and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act and falling due in 1876 and 1877."

"An act relative to the Farmers' Loan and Trust Company."

Assembly, "An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer,' passed May 5, 1870."

After some time spent therein, the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Johnson, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

The Assembly sent for concurrence the bill entitled as follows :

"An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Laning, and by unanimous consent, the rules were suspended, and said bill was ordered to be considered in the first committee of the whole.

Mr. Wellman moved that the bill entitled "An act in relation to mortgages made by manufacturing companies," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act in relation to mortgages made by manufacturing companies."

Assembly, "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city."

"An act to authorize the trustees of the village of Cooperstown to erect a building for the use of the fire department, trustees, and other officers of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such real estate and erecting such building."

After some time spent therein the President resumed the chair, and Mr. Kellogg, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Kellogg, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders; and, after some time spent therein, the hour of quarter to two o'clock having arrived, the President resumed the chair, and the Senate went into executive session; at the conclusion of which the doors were opened, and

The Senate, in committee of the whole, resumed the consideration of general orders, being the Assembly bills entitled as follows :

"An act to repeal chapter 30 of the Laws of 1853, entitled 'An act to consolidate road districts eighteen and nineteen in the town of Ledyard, in the county of Cayuga, and to provide for the election of a pathmaster in said district,' passed March 14, 1853, and all acts in addition to and amendatory thereof."

"An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873."

"An act to amend chapter 433 of the Laws of 1870, entitled 'An act relative to the Metropolitan Drawing-Room Car Company,' passed May 10, 1874."

After some time spent therein the President resumed the chair, and Mr. Ledwith, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

On motion of Mr. Jacobs, the Senate adjourned.

THURSDAY, MARCH 18, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Robertson presented a remonstrance of citizens of New York against the passage of the act authorizing fire and marine insurance companies to invest their surplus funds in certain other States to meet their obligations in such States; which was read and committed to the committee of the whole.

Mr. Bradley presented a petition of Sylvia H. Jewett for relief; which was read and referred to the committee on the judiciary.

The President presented a statement of the Auditor of the Canal Department, in response to a resolution of the Senate, relative to expenditures made by the Canal Department during the year 1874; which was laid upon the table and ordered printed.

(See *Doc. No. 63.*)

The Assembly sent for concurrence the bills entitled as follows :

"An act to extend the time for the collection of taxes in the towns of Ticonderoga and Schroon, in the county of Essex," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the organization and regulation of certain business corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act supplementary to chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to release to Patrick J. Wallace as executor of Anna Hanlon, deceased, the real estate of which Edward Brown died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to prevent individuals and corporations not banking corporations from doing business under names indicating that they are incorporated banks or banking institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend an act to provide for the care of the lands and buildings known as Washington's Headquarters in the city of Newburgh, and the property connected therewith, passed May 11, 1874, chapter 426," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the formation of corporations for the safe keeping and guarantying of personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend part 3, chapter 9, title 1, article 2 of the Revised Statutes relating to the writ of habeas corpus," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act relating to the term of office of clerk of the commission of appeals," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in the town of Plattsburgh," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate lying under the

water of Seneca lake to Hobart College," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in foreign States and countries, and for other purposes, and to repeal chapter 308 of the Laws of 1858, and the acts amendatory thereof, together with so much of chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories,' and the acts amendatory thereof as authorizes the appointment by the Governor of this State of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in the Dominion of Canada," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to extend the operation and effect of the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the incorporation of boards of trades," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act to widen and extend Washington avenue, in the city of Brooklyn, and extend the same into the town of Flatbush, passed April 23, 1870," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to orphan asylum societies at Brooklyn,' passed March 7, 1848," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise the charter of Long Island City,' passed April 13, 1871," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 461 of the Laws of 1871 entitled 'An act to revise the charter of Long Island City,' passed April 13, 1871," and said bill was committed to the committee of the whole.

Mr. Cole, from the committee on canals, to which was referred the Assembly bill entitled "An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year,

commencing on the first day of October, 1875, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to incorporate the West Sandlake Fire Company, in the town of Sandlake, Rensselaer county."

"An act to authorize the commissioners of the town of Groton, in the county of Tompkins, appointed under and by virtue of chapter 433 of the Laws of 1866 to issue bonds and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act and falling due in 1876 and 1877."

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870."

"An act to authorize the trustees of the village of Cooperstown to erect a building for the use of the fire department, trustees and other officers of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such real estate and erecting such building."

"An act to amend the charter of the Arctic Fire Insurance Company in the city of New York, and to correct an act amending said charter, passed February 26, 1873."

"An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872."

"An act authorizing the adjudication and settlement of certain claims arising out of the defalcations of the late treasurer of Columbia county with this State and the said county."

"An act in relation to mortgages made by manufacturing companies."

"An act relative to the Farmers' Loan and Trust Company."

"An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cattaraugus reservation, and to provide for its management and maintenance."

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to authorize a tax to be levied upon the town of Potsdam to build a town house," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to facilitate the forming of agricultural and horticultural societies,' passed April 13, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to amend 'An act chapter 594 of the Laws of 1871, as amended by chapter 738 of the Laws of 1872, in relation to

the Department of Docks of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act further to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act for the incorporation of societies or clubs for certain lawful purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gross moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to amend chapter 184 of the Laws of 1866, entitled 'An act for the better protection of seamen in the port and harbor of New York,' passed March 21, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to authorize the several towns of this State to maintain certain actions against railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to authorize the Buffalo and Grand Island Ferry Company to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Moore asked and obtained leave to introduce a bill entitled "An act in relation to the marine court of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act relative to the Farmers' Loan and Trust Company" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Ray
Bradley	Jacobs	McGowan	Robertson
Connelly	King	Middleton	Selkreg
Dayton	Laning	Moore	Wagner
Dow	Ledwith	Parmenter	Wellman
Fox			21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the West Sandlake Fire Company, in the town of Sandlake, Rensselaer county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Robertson
Cole	Jacobs	Lord	Selkreg
Connelly	Johnson	Middleton	Thompson
Dayton	Kellogg	Moore	Wagner
Dow	King	Parmenter	Wellman
Fox	Laning	Ray	Wood
			24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Trustees of the Sustentation Fund of the Reformed Episcopal Church," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	King	Selkreg
Bradley	Fox	Middleton	Thompson
Cole	Gross	Parmenter	Wagner
Connelly	Jacobs	Ray	Wellman
Dayton	Johnson	Robertson	
			19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cattaraugus reservation, and to provide for its management and maintenance," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Cole	Jacobs	Lowery	Robertson
Connelly	Kellogg	McGowan	Selkreg
Dayton	King	Middleton	Thompson
Dow	Laning	Moore	Wagner
Fox	Ledwith	Parmenter	Wellman
Gross	Lord	Ray	Wood
			24

On motion of Mr. Dow, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

The Assembly bill entitled "An act to legalize and confirm the official acts of William P. Lee as notary public, in the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Madden	Robertson
Bradley	Kellogg	McGowan	Selkreg
Cole	King	Middleton	Thompson
Connelly	Laning	Parmenter	Wagner
Dayton	Ledwith	Ray	Wellman
Dow	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to repeal chapter 171 of the Laws of 1859, entitled 'An act to establish a free school in district No. 3, in the town of Cherry Valley,' passed April 11, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Robertson
Bradley	Johnson	Middleton	Thompson
Cole	Kellogg	Moore	Wellman
Connelly	King	Parmenter	Wood
Dayton	Laning	Ray	Woodin
Dow	Ledwith		

22

FOR THE NEGATIVE.

Selkreg			1
---------	--	--	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act concerning the Hahnemann Hospital of the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Robertson
Bradley	Jacobs	McGowan	Selkreg
Cole	Kellogg	Middleton	Wagner
Connelly	King	Parmenter	Wellman
Dayton	Laning	Ray	Wood
Dow	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Madden	Robertson
Bradley	Kellogg	McGowan	Selkreg
Cole	King	Middleton	Thompson
Connelly	Laning	Moore	Wagner
Dayton	Ledwith	Parmenter	Wellman
Dow	Lord	Ray	Wood
			24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to legalize the acts of the board of trustees of the village of Charlotte," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Kellogg	McGowan	Selkreg
Bradley	King	Middleton	Thompson
Cole	Laning	Parmenter	Wagner
Connelly	Ledwith	Ray	Wellman
Dayton	Lord	Robertson	Wood
Dow	Lowery		
			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	McGowan	Selkreg
Bradley	Gross	Middleton	Thompson
Cole	Kellogg	Moore	Wagner
Connelly	King	Parmenter	Wellman
Dayton	Laning	Ray	Wood
Dow	Ledwith	Robertson	
			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize Abraham C. Waldron and Simon Vischer (the only surviving members of the consistory of 'the ministers, elders, and deacons of the Reformed Protestant Dutch Church at Halfmoon') as a board of commission to alienate certain real estate belonging to said incorporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Robertson
Bradley	Gross	Madden	Selkreg
Cole	King	McGowan	Thompson
Connelly	Laning	Middleton	Wagner
Dayton	Ledwith	Parmenter	Wellman
Dow	Lord	Ray	Wood
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the city of Rochester to issue its bonds for the construction of a new school building," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Laning	McGowan	Robertson
Cole	Ledwith	Middleton	Selkreg
Dayton	Lord	Moore	Thompson
Dow	Lowery	Parmenter	Wellman
King	Madden	Ray	Wood
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to authorize the commissioners of the town of Groton, in the county of Tompkins, appointed under and by virtue of chapter 433 of the Laws of 1866 to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act and falling due in 1876 and 1877," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Ledwith	Middleton	Thompson
Cole	Lord	Parmenter	Wagner
Dayton	Lowery	Ray	Wellman
Dow	Madden	Robertson	Wood
King	McGowan	Selkreg	Woodin
Laning			

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to mortgages made by manufacturing companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Cole	Ledwith	Moore	Tobey
Connelly	Lowery	Parmenter	Wagner
Dayton	Madden	Ray	Wellman
Dow	McGowan	Robertson	Wood
Fox	Middleton	Thompson	Woodin
Laning			

21

On motion of Mr. Wellman, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

The bill entitled "An act authorizing the adjudication and settlement of certain claims arising out of the defalcations of the late treasurer of Columbia county with this State and the said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Middleton	Selkreg
Cole	King	Moore	Thompson
Connelly	Laning	Parmenter	Wagner
Dayton	Ledwith	Ray	Wellman
Dow	Madden	Robertson	Wood
Jacobs	McGowan		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Arctic Fire Insurance Company in the city of New York, and to correct an act amending said charter, passed February 26, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Laning	Moore	Thompson
Connelly	Lowery	Parmenter	Tobey
Dayton	Madden	Ray	Wagner
Dow	McGowan	Robertson	Wellman
Fox	Middleton	Selkreg	Wood
King			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the common council of the city of Rochester to raise money to provide for the deficiencies in the funds of the board of education," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Laning	Parmenter	Tobey
Cole	Lord	Ray	Wagner
Connelly	Lowery	Robertson	Wellman
Dayton	McGowan	Selkreg	Wood
Dow	Middleton	Thompson	Woodin
King	Moore		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to authorize the trustees of the village of Cooperstown to erect a building for the use of the fire department, trustees and other officers of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such real estate and erecting such building," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Middleton	Thompson
Bradley	Kellogg	Parmenter	Tobey
Cole	Laning	Ray	Wagner
Connelly	Lowery	Robertson	Wellman
Dayton	Madden	Selkreg	Wood
Dow	McGowan		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer,' passed May 5, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Middleton	Thompson
Cole	Laning	Parmenter	Wagner
Connelly	Ledwith	Ray	Wellman
Dayton	Lowery	Robertson	Wood
Dow	McGowan	Selkreg	Woodin
Kellogg			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to repeal chapter 30 of the Laws of 1853, entitled 'An act to consolidate road districts eighteen and nineteen in the town of Ledyard, in the county of Cayuga, and to provide for the election of a pathmaster in said district,' passed March 14, 1853, and all acts in addition to and amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Selkreg
Cole	Laning	Middleton	Wagner
Connelly	Ledwith	Parmenter	Wellman
Dayton	Lord	Ray	Wood
Dow	Lowery	Robertson	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Thompson
Cole	Jacobs	Madden	Tobey
Connelly	Johnson	Middleton	Wagner
Dayton	Kellogg	Parmenter	Wellman
Dow	King	Ray	Woodin
Fox	Laning	Robertson	
			23

On motion of Mr. Laning, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Selkreg
Bradley	Johnson	Madden	Thompson
Connelly	Kellogg	Middleton	Wagner
Dayton	King	Moore	Wellman
Dow	Laning	Parmenter	Wood
Fox	Ledwith	Ray	Woodin
Gross	Lord	Robertson	
			27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 433 of the Laws of 1874, entitled 'An act relative to the Metropolitan Drawing-Room Car Company,' passed May 10, 1874," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Middleton	Selkreg
Connelly	Jacobs	Moore	Thompson
Dayton	Kellogg	Parmenter	Wagner
Dow	King	Robertson	Wellman
Fox	Madden		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Gross	McGowan	Wagner
Cole	King	Middleton	Wellman
Connelly	Laning	Moore	Wood
Dayton	Ledwith	Parmenter	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Gross, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," was ordered to be considered in the first committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows :

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks for the supervision and the administration of their affairs."

After some time spent therein the President resumed the chair, and Mr. Thompson, from said committee, reported progress on said named bill, and asked and obtained leave to sit again.

By unanimous consent, Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act in relation to railroad corporations," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Dow, the Senate adjourned.

FRIDAY, MARCH 19, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, March 19, 1875.

To the Legislature :

I have received a petition from forwarders, boatmen and others engaged in transportation on the canals of this state, representing that the depressed state of their business calls for legislation, and necessitates a reduction of tolls; and requesting me to look into the condition of the canal commerce, and to make such recommendations to the legislature as will lead to measures of relief.

Respectful consideration is due to so large and important a class of our business men. They are proprietors of about 6,000 boats, which are said to give employment directly to 30,000 persons, and indirectly to 20,000 others. They are in the peculiar relation of partners of the state in a vast internal commerce; owning and managing the equipment while the state owns and manages the body of the canals. The state therefore not only has a common interest in the preservation of the joint business, but has a distinct and special interest in the ability of its partners to continue to perform their functions, without which the joint business could not be transacted. It cannot afford to suffer the equipment of the canals to be broken up; to allow a dispersion of the traffic which, if once lost, will not be easily regained; or to omit any measures of retrenchment in expenditure or economy of administration which will enable it and its partners to meet successfully the increasing competition of the railways with each other and with water transportation.

Impressed with the considerations which induce a liberal policy on the part of the state toward its partners in the internal commerce it has seen fit to undertake, I am, on the one hand, predisposed to every practical and just measure for enfranchising trade and industry and cheapening the interchange of commodities, and, on the other, to listen to the rightful complaints of our people against the extreme burden of our present taxation and the prodigal and wasteful expenditure in connection with the canals, which is one of the main causes of such taxation.

I have, therefore, felt it my duty to devote the intervals of time I could command to a personal investigation of the subject in order to be able to recommend to you such specific measures as the exigency seem to require, in the direction indicated in the following passage of the message I had the honor to communicate at the beginning of your session.

"A careful investigation whether the net incomes of the canals retained cannot be increased, ought to precede a surrender of what little now exist. Ordinary repairs should be scrutinized with a view to

retrenching their cost, and to obtaining the largest possible results from the outlay. * * * All improvements should be governed by a plan and purpose leading to definite results; and, instead of scattering expenditures on imperfect constructions, should aim to complete and make available the specific parts undertaken. Unity of administration and of system, both in respect to repairs and improvements, should be established."

PROBABLE INCOME OF THE CANALS.

Exhibit A is a comparative monthly statement of the tolls on all the canals for the years 1873 and 1874. It shows that during the months of October and November and a few days in December, which fall within the present fiscal year, in which period about one-quarter of the tolls of the year were collected, the decrease of tolls is from \$836,123.37 to \$638,132.96, or \$197,990.31. The decrease is about one-fourth of that portion of the tolls. A corresponding decrease for the months of May, June, July, August and September, 1875, as compared with the same months of 1874, would amount to \$600,000. That would leave the tolls for the fiscal year of 1875 at \$2,037,000.

Assuming them to realize \$2,250,000, we are next to find the probable effect of the reduction in rates which is now proposed.

Exhibit B is a statement of the effect of the reduction in the rates proposed computed on the tolls of the calendar year of 1874.

If a similar computation be made on \$2,250,000, instead of \$2,637,070, the reduction of receipts to be produced by the lowering of the rates would be \$534,832. The gross tolls accruing from all the canals for the fiscal year ending September 30, 1875, would be \$1,715,168.

This diminution of tolls presents in a strong light not only the general depression of commerce, but particularly that of the special business of the boatmen and forwarders.

TAXATION FOR CANAL PURPOSES.

During five years from Oct. 1, 1869, to Sept. 30, 1874.

The public mind is apt to be confused by the various methods in which the complex accounts of the state are kept. A careful analysis and comparison of those accounts enables the following results to be stated in a simple form:

The total amount of the tolls on all the canals during the five fiscal years ending September 30, 1874, was	\$15,058,361 75
The aggregate of ordinary expenses and ordinary repairs during the same period, was	9,202,434 23
The apparent surplus was	<u>\$5,855,927 52</u>
The aggregate of extraordinary repairs during the same five years, was	\$10,960,624 84
Deduct the apparent surplus	<u>5,855,927 52</u>
Real deficiency, being excess of repairs ordinary and extraordinary over the whole tolls.....	\$5,104,697 32

Other payments were :	
Interest.....	\$2,908,617 46
Cost of premium on gold	703,468 35
Cost of premium on stock purchased,	31,736 00
Transfer expenses, etc.....	21,238 49
	<hr/>
	\$3,665,060 30
Actual cost, exclusive of reduction of debt.....	\$8,769,757 62
Payment of debt:	
Canal debt	\$2,334,350 00
General fund debt, over the reduction of moneys in sinking funds.....	2,552,132 28
	<hr/>
	4,886,482 28
Contribution to General Fund.....	200,000 00
	<hr/>
	\$13,856,239 90
	<hr/>

The taxes levied for these purposes during the same period, were\$14,789,848 25

All these payments are directly for canal purposes, except \$2,552,-132.28, which is in reduction of the General Fund debt, and \$200,000 which was supplied to the General Fund.

These two payments also are, indirectly, of the same character. They but replace fresh advances made by the General Fund, to the canals.

In the five years anterior to the period under consideration, from October 1, 1864, to September 30, 1869, the taxes levied to meet deficiencies in the sinking fund, were \$1,873,030.54, and the taxes levied for extraordinary repairs, awards, etc., were \$6,322,632.52, making \$8,195,663.06.

The constitution (Art. VII, sec. 5) provides that "Every contribution or advance to the canals or their debt, from any source, other than their direct revenues, shall, with quarterly interest, at the rates then current, be repaid into the treasury, for the use of the state, out of the canal revenues as soon as it can be done consistently with the just rights of the creditors holding the said canal debt."

In citing this mandate of the constitution, it is not intended to revive the illusion that even the most recent advances of the state for the use of the canals will ever be restored to the treasury. There is little probability that they can be regarded as investments capable of producing a reliable income. So far as these enormous outlays have been usefully expended, the state will have to find its compensation, for the taxes it has imposed upon the people, in the indirect benefits of its efforts to cheapen the interchange of commodities.

Exhibit C shows the expenditures for extraordinary repairs, etc., for each of the five years.

Exhibit D shows the expenditures from taxation for the sinking funds during the same period.

Exhibit E shows the specific application of the surplus of tolls over ordinary expenses and repairs.

CHARACTER OF THE EXPENDITURE.

Some items of the outlay attract attention. On the canals which the amendment of the constitution authorizes the legislature to abandon, there was expended for:

Extension of the Chenango canal	\$676,158 68
Black River improvement.....	15,400 00
Oneida lake	100,000 00
Extraordinary repairs.....	899,852 82
Awards, etc.	969,875 57
	<hr/>
	\$2,661,287 07
	<hr/>

If the inability of these canals to meet their ordinary expenses, or indeed to make any respectable contribution toward that purpose, shall compel their abandonment, this great expenditure will be a total waste of money, wrung from the people by taxation.

On the Erie canal the following are two specimens:

Work up to February 1, 1875, on contract on section 1 of Erie canal, contracted at \$74,183.40.....	\$458,114 72
Work in Black Rock and Buffalo harbors, expended.....	\$717,333 00
Engineering expenses, estimated.....	71,733 00
Additional appropriation unexpended...	170,000 00
	<hr/>
	959,066 00
	<hr/>
	\$1,417,180 71
	<hr/>
Total.....	\$4,078,467 79
	<hr/>

This constitutes four millions of the eleven millions expended and the twelve millions appropriated for canal improvements within the last five years.

In the meantime, the whole expenditure — at rates far too costly — on the Erie canal, for doubling locks,

was.....	\$718,984 23
For taking out the wall-benches.....	1,013,870 25
	<hr/>
	\$1,732,854 48
	<hr/>

It is impossible, in the limited time which the exigency allows, to thoroughly investigate the vast mass of various outlays which have cost the people eleven millions of dollars. But the necessity of determining at once the tolls and appropriations, a sense of how small a share of this burdensome taxation has attained any real utility, and how much of it has been wasted in unnecessary work, or in the extravagant execution of improvements in themselves useful, and a clear perception of the main sources of the evils of administration, and of reforms attainable by legislation without a change of the constitution, make it my duty now to recommend specific and affirmative measures of redress.

CAUSES.

It is not merely in the general laxity and demoralization of official and political life, that we are to look for the causes of these evils. The interest which fattens on abuses of public expenditure is intelligent, energetic and persistent. Acting as a unit, it takes part through its members in the organization and the doings of both political parties; seeks to control nominations; rewards friends and punishes enemies; and it begins to operate by every form of seductive and coercive influence upon public officers, as soon as they are elected. The vast mass of the tax payers are occupied in daily industries, on their farms and in their work-shops, and cannot easily, and do not, in fact, make a business of politics. In a silent contest with the tax-consumers, they are often practically unrepresented. It is only when they are aroused and organized, and can find representatives whom they trust, that they protect themselves and overwhelm all resistance. Useless works in the specious garb of improvements are undertaken, because of the indifference of the public officers—the inertness of the tax payers—the indefatigable efforts of an influence seeking a benefit for its locality, which costs it an insignificant share of the burden imposed on the people; or the eager activity of the class who seek profit in contracts for construction, without reference to the utility of the work. Vertical walls are made to provide wharves for private individuals, and bridges where no public interest requires them. Fictitious improvements are contrived to supply profitable jobs. Work of real utility is made to cost greatly more than its actual value.

In making these observations, I do not leave out of view those honest citizens who while employed upon the public works have sought and obtained only a fair and just return for their labor, skill and capital. But in framing laws we must guard against the influence of self-interest upon the minds of honest men.

APPROPRIATIONS FOR ORDINARY EXPENSES AND REPAIRS.

I renew the recommendation in respect to the canals which the recent amendments of the constitution empowered the legislature to “sell, lease, or otherwise dispose of,” that while the manner of their disposition remains undetermined, “no expenditures should be made on those works not strictly necessary in view of their probable future.” In order to carry out this policy, the appropriations for ordinary expenses and repairs upon them should be specified, separated from the provisions for the canals which the constitution requires to be retained; and should be reduced to the lowest practicable amount.

In respect to ordinary expenses and repairs to the canals which are to be retained as the property of the state, I recur to the suggestion which I had the honor to submit in the annual message:

“Ordinary repairs should be scrutinized with a view to retrenching their costs, and to obtaining the largest possible results from the outlay.”

In the present state of the prices of materials and the wages of labor, if the public officers can be inspired with a resolute purpose to make every expenditure for these objects effective, there ought to be no difficulty in reducing the appropriations from one-quarter to one-third below the amount provided for last year.

The present standard of repair and efficiency must be fully maintained.

Every thing of good administration consists in the selection of the most necessary and useful objects of expenditure, and in securing the greatest effectiveness in the application of labor and the most advantageous purchase of materials.

If a determination to accomplish this result, and a sense of accountability can be diffused throughout the agents employed in the public service, this object will be easily and certainly attained.

APPROPRIATIONS FOR EXTRAORDINARY REPAIRS.

The wisdom of abstaining from all new work, except that which is not only useful but absolutely necessary, is obvious. Every item should be scrutinized with jealous care.

The aggregate ought to be kept within half a million; and as much below that maximum as possible. A thorough retrenchment in ordinary and extraordinary repairs will enable the state to remit for the present year, as compared with the last, to the boatmen and transporters, from five to six hundred thousand dollars of tolls, and, at the same time, to give relief to our over-burdened tax payers, in a reduction of taxes, to the extent of more than a million and three-quarters of dollars.

If the restoring the Erie canal to its proper dimensions and the deepening of its water-way, which is by far the most useful improvement contemplated, can be deferred till next year, after its present condition shall be accurately ascertained, and then be proceeded with gradually, there is little else which cannot wait.

Justice to the people and to the canals demand that all extraordinary repairs, beyond what are clearly necessary to efficient navigation, should be suspended until a thorough investigation shall show that every improvement proposed is really necessary; and that the work is to be conducted under fair lettings and contracts, and is to be faithfully executed.

ERIE CANAL.

At the opening of navigation the present season, the double locks will be completed. The capacity of the Erie canal to do an aggregate business will be several times the requirements of the largest tonnage it has ever had.

The removal of the wall-benches will be so nearly completed, that the advantages of that change will be practically secured.

On September 30, 1874, there remained of wall-benches 24 48-100 miles on the towing-path side, of which 12 25-100 miles are contracted to be removed; and 46 91-100 on the berme side, of which 7 50-100 are contracted to be removed; leaving 12 23-100 miles on the towing-path side, and 39 41-100 miles on the berme side, where the obstruction is much less important; or equivalent in all to 26 miles on both sides. That is less than seven per cent of the whole length of the canal.

The engineer's estimate of the cost of removing the remaining wall-benches was, in January, 1874, \$711,140; and an appropriation of \$360,000 was made by the Legislature of 1874, which will be available for expenditure during the present year.

As the only effect of the wall-benches now remaining is that they contract the canal at its bottom from 56 feet to 42 feet, and, in that proportion, the lower part of the prism, forming a section four feet above the bottom of the water-way — thus lessening the body of water in which the boat moves for a fourteenth part of the length of the channel, and but one-fifth of that on the towing-path side — the inconvenience of their existence, to this limited extent, is not very great or emergent.

In my judgment, a far more important improvement of the Erie canal would be effected by a thorough system of ordinary repairs, which should give the water-way its proper and lawful dimensions; and by progressively deepening it, wherever reasonably practicable, from seven to eight feet. As the object would be merely to enable the submerged section of the boat to move in a larger area of water, so that the displaced fluid could pass the boat in a larger space, it would not be necessary to alter the culverts or other structures, or to carry the walls of the canal below the present bottom; and the benefit would be realized in each portion of the canal improved, without reference to any other part of the channel which should remain unchanged. In facilitating the movement of the boat, and quickening its speed, it would increase the amount of service rendered in a given time, and would thereby diminish every element of the cost of transportation. It would benefit the boatmen and carriers more, even, than one cent a bushel remission of tolls. It would be of more real utility to navigation than five or ten times its cost expended in the average manner of so-called improvements on the public works. But it is too simple, too practically useful, to enlist the imagination of projectors who seek the fame of magnificent constructions and of engineers who build monuments for exhibition to their rivals, or to awaken the rapacity of cormorants who fatten on jobs.

I renew the recommendation of my annual message upon this subject; and particularly "that provisions be made by law to enable the state engineer, soon after navigation is opened, to measure the depth of water in the canal by cross-sections as often as every four rods of its length, and on the upper and lower mitre-sill of each lock."

CANAL LETTINGS.

The constitution of the state provides that "*All contracts for work or materials on any canal shall be made with the person who shall offer to do or provide the same at the lowest price, with adequate security for their performance.*" This requirement was intended to protect the state from extravagant contracts; but, by artful bids, and, in some cases, by fraudulent combinations, it is made an instrument to defeat the very end had in view by its authors. I have examined more than 100 contracts, and I find that most are so contrived that not only does the state in the end pay from two to four times the amount of the contract, but that the work is not given to the lowest bidder in fact, although it may be in form. This result is brought about by the following contrivance.

When a contract is to be let, the engineer makes out an estimate of the quantity and kinds of work to be done. Those who make bids state at what prices they will do each kind of work, or furnish each kind of material. These prices are footed up, and the bid which

amounts to the smallest sum is accepted. The sums thus agreed upon average but little more than one-half the amounts estimated by the engineer, and apparently the state makes advantageous contracts. On examination, it will be found that the prices for the several items bear no relation to their real value. In some instances excavation of earth is put at one cent per cubic yard, and in others 85 cents are asked. Excavation of rock blasted at one cent in some cases, and \$2 in others. Slope-wall is bid for in some cases at 20 cents, and in others at \$2. Hemlock timber, which is worth at least \$12 per thousand, is in some contracts put at less than \$3 per thousand, and in others at \$30 per thousand. Oak timber in one instance is put at \$1 per thousand, and in others at \$70. Some items are absurdly low, others unreasonably high.

In some instances, a contractor will put in proposals on the same day for different jobs, but the prices for the same kind of work or materials will vary in his several proposals several hundred per cent.

It is clear upon the face of such proposals that some fraud is designed, but the commissioners have been in the habit of accepting them. I am happy to say that Commissioner Thayer at a recent letting rejected this class of proposals, which are known as "unbalanced bids." Heretofore they have been accepted, and not only has the state paid unreasonable prices, but more than one-half of the work on large contracts has been done and paid for without being advertised or offered to the lowest bidders.

The contractor gains these results by the following strategy:

When the engineer's estimate of quantities and kinds of materials are published by the commissioners, the contractor will find out by collusion, or in some other way, what quantities of each kind of work or material will, in fact, be required, or he will see what influence he can exert to change the contract after it is made. If it is changed, no new letting is had, but he claims the job as his right.

He then puts in his bid, offering to do such work or to furnish such material as he finds will not be required at all, or in small quantities, at absurdly low prices, at a quarter or in some instances at a twentieth part of its cost. The items which will be required in full, and probably in extra quantities, he will put at unreasonably high rates, and it turns out that what the contractor offers at low prices, is called for in small quantities, if at all, while those which are put at high prices are not only required in full, but in most cases in extraordinary quantities.

An example will more clearly illustrate how the state is defrauded by these devices.

The engineer having estimated certain work and materials as follows:

100 cubic yards of vertical wall at \$3	\$300 00
3,855 " slope-wall at \$1.50	5,782 50
2,400 feet B. M. white oak, at \$50	120 00
60,000 " hemlock, at \$15	900 00

Total estimate

\$7,102 50

A.'s bid for the job at these rates amounted to \$7,102 50.

B.'s bid for the same was, for

100 cubic yards vertical-wall, at \$6	\$600 00
3,855 " slope-wall, at 30 cents	1,156 50
2,400 feet B. M. white oak, at \$70	168 00
60,000 " hemlock, at \$3	180 00

and aggregated..... \$2,104 50

The proposal of B, apparently so advantageous to the state, was accepted, and the contract awarded to him as the "lowest bidder." But afterward, by some influence, it was decided to make only vertical, and no slope, wall, and to use only oak and no hemlock timber. There was no re-letting, although the agreement had been, in fact, revamped into a new and different contract, which enabled B to collect from the state for

3,955 cubic yards of vertical-wall, at \$6.....	\$23,730 00
64,400 feet B. M. white oak, at \$70.....	4,368 00

the sum of \$28,098 00

It will be seen that in such transactions—and they are numerous—in violation of the constitution, the contractor gets the work without there having been in fact any public letting, or any chance for competition by others.

For the purpose of showing actual results of this system, I state the following ten cases, which give the amount the state has paid on certain contracts in comparison with the sum for which the contractor agreed to do the work at the lettings made by the commissioners.

Contract No.	Amount of contract upon exhibited quantities at contract prices.	Amount actually paid by the state up to Feb. 1, 1875.
1.....	\$74,183 40	\$458,114 72
" 2.....	29,431 00	56,845 68
" 3.....	37,871 00	110,320 13
" 4.....	10,617 00	49,936 30
" 5.....	14,397 00	78,967 20
" 6.....	85,562 50	220,614 58
" 7.....	31,286 00	130,317 45
" 8.....	86,584 00	222,610 68
" 9.....	9,504 00	41,127 55
" 10.....	45,300 00	191,915 55
Total	<u>\$424,735 90</u>	<u>\$1,560,769 84</u>

These show that the state has already paid nearly four times the amount which was involved by the terms of the contracts, and though this excess amounts to more than a million of dollars, some of the expenditures are still going on with no prospect of completion. It also appears that of the expenditures of \$1,560,769.84, only \$424,735.91, less than one-third, was submitted to a public letting.

By manœuvres of this character the costs of public works are run up to extravagant sums. Appropriations are absorbed, deficiencies are created to be paid by new appropriations, and the people are loaded down by taxes.

REMEDIAL MEASURES.

Desiring to co-operate with you in a reform of existing abuses, and of the systems which have conduced to them, I submit to your consideration such suggestions for new legislation as seem to me adapted to meet the wishes and protect the interests of our common constituents.

ENGINEERS' ESTIMATES.

Methods ought to be devised to make the estimates of the kinds and quantities of work, exhibited on the quantity sheet for lettings of contracts, to conform to the actual work to be done. On a change of the plan or specifications of the contract, the work under the old contract should be closed, and a new letting should take place.

BIDDINGS.

The law authorizes the canal board to make regulations as to the biddings, and one of those regulations provided for discarding bids which show bad faith upon their face.

As the officers who let the contracts have not enforced this regulation, except in a recent case, a law should be passed defining their rights and duties in this respect.

I recommend that hereafter the bids be opened, and the awards of contracts be made by the canal board. It is a larger body, and contains the officer who is charged with the fiscal administration of the state, and also the state engineer. It was formerly vested with these duties, and the change was only made to serve a temporary part object.

OFFICIAL ACCOUNTABILITY.

In the organization of governmental powers two conditions seem essential to the well-working of the machinery of administration.

First. While undue concentration of powers should be avoided, and checks and balances, in the requirement of the concurrent action of several persons, are preserved, a certain unity of function and of organization is necessary to enable the people to enforce any real responsibility.

An issue in regard to the conduct of public officers, or in regard to a policy of administration, should be submitted to the people with the simplicity of an issue to a jury at common law. The million of voters in the state cannot resolve themselves into a committee of investigation to hunt out, by long and tedious search, the particular wrong-doer. They cannot convert themselves into a court to go through a complicated and protracted trial. Amid the numerous and changing objects of interest which attract their attention they cannot devote themselves to a single specific measure of ordinary importance for three successive years. All schemes of administration which involve such impracticable demands for the co-operation of such vast numbers of individuals, discard the idea of representation in government.

They compel the whole voting mass to conduct the complex affairs of human society in person. They are snares invented to destroy the power of the people in their own government, to neutralize the elective principle, and to create official irresponsibility.

The members of the canal board, other than the canal commissioners and the lieutenant-governor, are all chosen at one election. The elective power of the people is effectual to make a change of persons or policy. But the canal commissioners are elected one each year, and it takes three years to make a complete change. They have practically ceased to act as a board. Each one carries on his administration over his division of the canals as if he were a totally independent authority. They make three separate reports. Each one prepares a separate annual estimate for future expenditures. They formerly sat as members of a board of canal commissioners, who consulted, decided and acted as one integral body. Their most important functions were performed as members of the canal board, or in concert with the canal board, which embraced the great officers of the state, including its fiscal representative, who is under an ever active pressure to make both ends meet in the financial affairs of the state. They were practically subordinate to the fiscal members of the administration.

Secondly. It is fundamental that the spending officers must be subject to the influence and control of the officers whose duty is to provide the ways and means. No great corporate business, no private affairs could be conducted successfully on any other plan. The experience of the state, under a system which the officers who initiate expenditure and control the application of the public money, and the execution of public work, have been independent and practically irresponsible, has been fruitful of irregularities, extravagance, waste and corruption. There have been several futile impeachments, but no real remedy.

It does not seem expedient to wait for a change which involves an amendment of the constitution, and will, therefore, take several years. There are measures within the competency of the legislature which can be put into immediate operation, and which will have great efficiency to remedy the evils.

Among these, the suggestion has occurred to me, that an inspector of public works can be created by law, who shall be invested with full powers of investigation, and shall report to the governor and legislature; and who shall derive his appointment from a source completely independent of the canal officers.

Another expedient worthy of your consideration is to enforce the accountability of the officers charged with the disbursement of the public money, by a liability to summary removal or suspension.

The constitution (Art. X, sec. 7) commends:

"Provision shall be made by law for the removal for misconduct, or malversation in office of all officers (except judicial) whose powers and duties are not local or legislative and who shall be elected at general elections, and also for supplying vacancies created by such removal."

At the close of the session of the convention of 1846, on the day before its final adjournment, it was discovered that, except in the case of the treasurer, no provision had been made for the removal of state officers having charge of public funds, who had been made elective by

the people of the whole state. The convention, not undertaking at so late a period to devise a system, devolved that duty on the legislature. This power has remained twenty-nine years unexecuted.

It is a duty of the legislature which ought no longer to remain unperformed. Applied to the canal commissioners, who are agents not only in the application, but in the custody and disbursement of the public moneys, and to the state engineer, who, with his subordinates, exercises great power over the expenditure by his estimate of the cost and certificates of the performance of work, it would be an improvement upon our administrative system, in accord with the intention of the constitution, with sound principles of government, and with the indications of experience.

Provision ought also to be made by law for regulating the formation of the annual estimate for future expenditures. It ought not only to be the result of consultation between the canal commissioners, but should have the written approval of the state engineer as to the necessity and cost of the work; and of the comptroller as to its propriety, considered in connection with the financial administration.

It would doubtless be a valuable improvement to create a paymaster, appointed by the commissioners of the canal fund, who should be accountable to the auditor, and should make all payments on the certificates of the canal commissioners and state engineer. With these provisions the control of the state engineer over his subordinates might properly be enlarged.

OTHER MATTERS TO BE LOOKED INTO.

I have deemed it my duty to look beyond the abuses practiced in the letting of contracts, and to see if the materials have been delivered, and the work has been done, for which so many millions have been paid out by the state, and also to learn if the locks, walls and other structures have been built in a faithful way, and in compliance with the contracts. I am satisfied, from information I have already gained, that there should be an investigation of these subjects. It is my purpose, with the aid of the members of the canal board, to have an examination made of our public works, and to learn their condition. It may be too late to detect all frauds, but many may be exposed and punished, and a check put upon practices so destructive to morals, as well as to the public interests of the people of the state.

CONCLUSION.

It is clear that, under the present system of canal management, the people will not be relieved from taxation, the boatmen from high tolls, or the needed improvements of the Erie and Champlain canals be finished. It is in our power to gain those great objects by a wise and an honest policy of retrenchment, reform, and official responsibility. Unfortunately the abuses now practiced against our canals and their commerce are exciting strong prejudices against the great public works rather than against the wrong-doers and the wrong-doing which tend to destroy them.

Our duty is clear. Let us cut off the expenses which divert revenues from general improvement of the canals to local or individual purposes, make every official, every employee, every contractor feel that the laws you have just passed against fraud will be enforced, and

our canals will be finished, their commerce revived, and taxation will be lessened not only as it oppresses the boatmen, but also all other classes of our citizens.

There is no real antagonism between the boatmen and forwarders who seek a fair compensation for their services, the public who desire cheap transportation, and the people who justly claim some relief from the present intolerable pressure of taxation. Their interests are joint. Whenever these classes are brought into a false position of apparent hostility, it is sure proof either of a bad state of laws, or of an unfaithful performance of official duties. Whoever, for illicit gain, despoils or wastes the resources applicable to these objects, is the common enemy of the boatmen and the tax payers, who must unite to enforce measures of reform and redress.

SAMUEL J. TILDEN.

APPENDIX.

EXHIBIT A.

A comparative monthly statement of tolls for 1873 and 1874.

MONTHS.	1873.	1874.
April .....	.....	.....
May	\$258,028 29	\$361,898 96
June	439,888 24	492,393 57
July	466,825 67	413,525 09
August	455,799 88	308,769 10
September.....	520,053 40	422,351 24
October	529,214 91	392,460 83
November	304,610 00	243,569 38
December	2,298 36	2,102 75
	\$2,976,718 57	\$2,637,070 92

EXHIBIT B.

A statement of the amount of reduction of tolls which would result from the plan proposed by the Committee of the Canal Board, computed on the business of 1874.

The reduction proposed is as follows: On wheat, corn, rye, barley and oats, one-third. On products of wood, one-quarter. On merchandise, one-half.

	Tolls at rate of 1874.	Tolls at proposed rates for 1874.	Loss by the reduction.
Wheat	\$695,003 00	\$463,335 00	\$231,668 00
Corn	500,297 00	333,532 00	166,765 00
Rye	4,504 00	3,002 00	1,502 00
Barley	42,264 00	28,179 00	14,085 00
Oats	52,389 00	34,926 00	17,463 00
Product of wood	718,427 00	538,821 00	179,606 00
Merchandise	60,110 00	30,055 00	30,055 00
	\$2,072,994 00	\$1,431,850 00	\$641,144 00
Total tolls			\$2,637,071 00
Total tolls, boats			160,328 00
Tolls on freight			2,476,743 00
Total tolls collected at the tide water office in 1874, on freight going west and north			\$233,200 72

EXHIBIT C

Statement of the sums derived from taxes, applied during each of the several years, to work on the canals, etc.

DATE.	Damages and awards.	Extraordinary repairs.	Improvement and enlargement of Champlain canal.	Extension of Chango canal.	Improvement of Black River and reconstruction Oneida Lake canals.	Totals.
1870.....	\$55,260 04	\$1,016,528 73	\$80,000 00	\$200,000 00	Black River.	\$1,367,188 77
1871.....	980,336 47	2,294,028 20	164,713 61	200,000 00	\$15,400 00	3,639,078 28
1872.....	.....	470,495 71	402,297 43	175,000 00	.....
1873.....	772,154 65	1,422,688 41	69,544 75	101,158 68	Oneida Lake.	1,072,793 14
1874.....	677,675 02	1,763,943 14	.....	.....	\$25,000 00	2,415,546 49
					25,000 00	2,466,018 16
	\$2,485,426 18	\$6,967,084 19	\$716,555 79	\$676,158 68	\$115,400 00	\$10,960,624 84
Sinking fund as per table No. 1						2,895,615 06
The taxes levied were in excess of the taxes applied, as shown in this table.....						\$13,856,239 90
Total taxes levied for canal purposes						933,608 35
						\$14,789,848 25

EXHIBIT D.

Statement showing the sums derived from taxes to supply deficiencies in the Sinking Funds for payment of principal and interest of the Canal Debt, and to pay principal and interest of the Floating Debt, under the Constitution (Art. VII, Sec. 12).

DATE	Sinking fund, article 7, section 1.	Sinking fund, article 7, section 2.	Sinking fund, article 7, section 12.	Total.
1870 .....	.....	.....	\$327,864 79	\$327,864 79
1871 .....	.....	.....	240,957 65	240,957 65
1872 .....	.....	\$913,866 65	251,435 90	1,165,302 55
1873 .....	.....	.....	230,271 15	230,271 15
1874	\$195,000 00	575,339 69	260,879 23	1,031,218 92
	\$195,000 00	\$1,489,206 34	\$1,211,408 72	\$2,895,615 06

EXHIBIT E.

Distribution of the surplus canal revenues for each of five years, commencing with 1870.

DATE.	Surplus.	DISTRIBUTION.		
		Sinking fund, article 7, Section 2.*	Sinking fund, article 7, Section 3.	Fund for support of Government, Sec. 8.
1870.....	\$569,974 61	\$569,974 61	.....	.....
1871.....	981,588 68	981,588 68	.....	.....
1872.....	1,202,571 35	1,202,571 35	.....	.....
1873.....	1,623,286 80	1,500,000 00	\$123,286 80	.....
1874.....	1,478,506 08	.....	1,278,506 08	\$200,000 00
	\$5,855,927 52	\$4,254,134 64	\$1,401,792 88	\$200,000 00
Sinking fund, art. 7, sec 2.....				\$4,254,134 64
Sinking fund, art, 7, sec. 3.....				1,401,792 88
Fund for support of government, art, 7, sec. 3.....				200,000 00
				\$5,855,927 52

* The contribution to this sinking fund in 1873 was a final contribution.

Mr. Woodin moved that the message be referred to the committee of the whole.

Mr. Johnson moved to amend by referring the same to the committee on canals.

The President put the question whether the Senate would agree to said motion of Mr. Johnson, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Lord	Lowery	Wagner	
Dayton				5

FOR THE NEGATIVE.

Booth	King	Parmenter	Tobey	
Dickinson	Laning	Ray	Wellman	
Dow	Ledwith	Robertson	Wood	
Fox	McGowan	Thompson	Woodin	17
Jacobs				

When the name of Mr. Johnson was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

When the name of Mr. Kellogg was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Woodin, and it was decided in the affirmative.

Mr. Johnson offered the following :

Resolved, That the special message of the Governor be made a special order for this evening at half-past seven o'clock, and that a session of the Senate be held for that purpose.

Mr. Woodin moved to amend by striking out the words "this evening at half-past seven o'clock, and that a session of the Senate be held for that purpose," and inserting in lieu thereof the words "Wednesday next, immediately after the reading of the journal."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Wood moved that so much of said message as relates to appropriations for ordinary and extraordinary repairs of the canals be referred to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lord moved that so much of said message as relates to corruption of State officers be referred to the committee on State prisons.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Booth presented a memorial from the comptroller of the city of New York relative to the bonded debt, etc., of said city ; which was laid upon the table and ordered printed.

(See Doc. No. 65.)

Mr. Bradley moved that the Senate hold an executive session at half-past one o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution in the words following :

Whereas, The Legislature of 1874 by a concurrent resolution passed the following resolution, to wit :

"Resolved (if the Senate concur), That the board of commissioners of the department of docks of the city of New York are hereby directed to cause to be made the necessary surveys, soundings, and other examination of the water-front of all that part of Westchester county recently annexed to said city, from the easterly terminus of said water-front, at the mouth of the Bronx river, as already determined, and thence following the East river bank and the Harlem river, Spuyten Duyvil creek, and Hudson river to the northern terminus of said water-front on the Hudson river, as already determined, and to ascertain the capacities and requirements of said water-front for adaptation to commercial uses, in like manner as the said board has already caused to be surveyed and examined the previously recorded water-front of said city."

And whereas, The board of commissioners of the department of docks of the city of New York has not complied with the requirements of such resolution ; therefore,

Resolved (if the Senate concur), That the said commissioners of the department of docks of the city of New York be and they are hereby required to report, in writing, to the Legislature within ten days after the passage of this resolution the reasons for such non-compliance.

On motion of M. Robertson, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

Mr. Bradley moved to extend the time for holding the executive session fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the concurrent resolution relative to printing "the usual number of the Insurance Reports (ten copies for each member, officer and reporter)," "1,500 copies of the Fire and Marine Reports," "and 2,000 copies of the Life Report," with a message that they had concurred therein.

The Assembly returned the concurrent resolution relative to printing 500 copies of the Report of the Commissioners of Emigration for distribution to the several superintendents of the poor of the State, with a message that they had concurred in the same, with the following amendment :

Add, at the end thereof, the words "also 250 copies for the use of the Legislature."

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Fox	McGowan	Thompson
Connelly	Jacobs	Parmenter	Wagner
Dayton	King	Ray	Wellman
Dickinson	Laning		

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Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Wood presented a petition of real estate brokers of the city of New York to allow loans on unimproved real estate by savings banks; which was read and committed to the committee of the whole.

On motion of Mr. Coe, and by unanimous consent, the rules were suspended, the committee of the whole discharged from the further consideration of the bill entitled "An act to authorize the supervisors of Kings county to meet deficiencies in the appropriations made for the support of the poor for the year 1875," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lowery	Thompson
Bradley	Dow	McGowan	Wagner
Coe	Jacobs	Parmenter	Wellman
Cole	Johnson	Ray	Wood
Connelly	King	Robertson	Woodin
Dayton			

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the several towns in this State to maintain certain actions against railroad corporations," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to facilitate the forming of agricultural and horticultural societies,' passed April 13, 1855," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in the towns of Ticonderoga and Schroon, in the county of Essex," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to county treasurers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Johnson moved that said bill be considered in the first committee of the whole on Tuesday next.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the eligibility of electors of towns owning stocks of railway companies to be directors of such companies," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to courts of record," reported adversely thereto.

Mr. Fox moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the granting of allowances by surrogates," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act passed April 13, 1855, entitled 'An act to facilitate the forming of agricultural and horticultural societies,'" reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act further to amend chapter 275 of the Laws of 1872, entitled 'An act to authorize the trustees of the village of Flushing to issue bonds and raise money for the purchase of a steam fire engine, and for the mapping and establishment of lines and grades for the streets and public places in said village,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on banks, to which was referred the Assembly bill entitled "An act in relation to trust companies," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lord offered the following:

Resolved, That the petition and papers relating to the claim of Wm. Wilson, of Monroe county, be taken from the files of the Senate and returned to the petitioner.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Wagner asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Deacons' Institution of the Evangelical Lutheran Church,' passed April 14, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act relative to county treasurers,' passed March , 1875," which was read the first time, and by unanimous consent was also read the second time.

Mr. Robertson moved that said bill be committed to the committee of the whole and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Fox moved that when the Senate adjourn to-day, it adjourn to meet on Monday evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' passed March 8, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

The Assembly returned the bill entitled "An act to authorize the commissioners of the town of Groton, in the county of Tompkins, appointed under and by virtue of chapter 433 of the Laws of 1866, to issue bonds and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act and falling due in 1876 and 1877," with a message that they had concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and

On motion of Mr. Booth, the Senate adjourned.

MONDAY, MARCH 22, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, March 19, was read and approved.

Mr. Robertson presented a petition of Wilson Phraner and others for payment of salary to the heirs of Orlando Humphreys, who was killed in the service of the State; which was read and referred to the committee on finance.

Mr. Gross presented a petition of Michael Herble for correction of erroneous tax and to vacate the sale of his property; which was read and referred to the committee on the affairs of cities.

The Assembly sent for concurrence the bills entitled as follows :

"An act to extend the time for the collection of taxes in the county of Rockland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue, in said city, and to contract with Isaac Holloway for such work," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to extend the time for the completion of the organization of companies heretofore incorporated," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the boundaries of the city of Utica westerly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend section 2 of title 4 of chapter 313 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto :

"An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies.'"

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the concurrent resolution for printing the Report of the Commissioners of Emigration for distribution to superintendents of the poor.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act to authorize the supervisors of Kings county to meet deficiencies in the appropriations made for the relief and support of the poor for the year 1875."

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein, and also an act amendatory thereof known as chapter 867 of the Laws of 1867,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to repeal section 5 of an act entitled 'An act to extend the distribution of Croton water through the city of New York, and to lay necessary mains to deliver it at higher elevations, and also to provide for the expense of water meters,' passed March 29, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to further provide for the rebuilding and sewers in the city of New York,' passed March 20, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act in relation to regulating, grading and otherwise improving streets, roads and avenues in the city of New York, and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and in relation to opening streets, avenues, roads or public parks and places in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871, and also to amend an act to re-enact and amend the same, passed April 6, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Bath, in the county of Steuben, passed June 20, 1851,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Wood asked and obtained leave to introduce a bill entitled "An act to authorize religious societies to take and hold real estate by will or devise," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to define and limit the liens of contractors, laborers and others upon real estate in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gross moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King offered the following:

Whereas, In the concurrent resolution adopted by the Senate and Assembly in January, 1875, in relation to the improvement of the Kill von Kull, and known as Assembly Document No. 29, certain geographical inaccuracies occurred which need to be corrected; therefore,

Resolved (if the Assembly concur), That said resolutions be amended and corrected by striking out on the fourteenth and fifteenth lines the

words " (will divert the same (i. e., the channel), from the State of New York to a distant point, and into the State of New Jersey;" also on the twenty-second, twenty-third, twenty-fourth, twenty-fifth and twenty-sixth lines the words " *Whereas*, The further effect of said dyke will be to detach a portion of the State of New Jersey, viz.: Shooters' Island, and place the same south of the proposed artificial channel and upon the New York side, thereby destroying the natural boundary lines between the said States, which boundary line is determined by the center of the channel of said Kill von Kull;" and also on line thirty-four the words "it is in violation of the established boundary lines between the said States."

On motion of Mr. King, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to deliver said resolution to the Assembly immediately, and request their concurrence therein.

Mr. Lord offered the following:

Whereas, The Governor has sent to the Legislature a special message, under date of March 19, in which charges of the grossest frauds are made against a large class of private citizens of reputable standing in this State who have performed work upon the canals, and also distinctly charging fraud and corruption upon the commissioners and other public officials having charge of the canals during a series of years past, whereby, it is alleged, that millions of public revenues have been wrongfully appropriated; and whereas, the interests of the State and of good government demand the prompt discovery, suppression and punishment of all frauds, official or otherwise, upon the public treasury, and common justice to all accused require the earliest possible development of the truth or falsity of the charges; therefore,

Resolved, That the President of the Senate appoint a committee of three, whose duty it shall be, forthwith, to investigate and report to the Senate the facts in relation to the charges set forth in said message, and that said committee have full power to send for persons and papers.

On motion of Mr. Robertson, the consideration of said resolution was postponed until to-morrow morning.

The Senate then resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

"An act to amend the Revised Statutes in relation to equalizing the assessment and collection of taxes."

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks for the supervision and the administration of their affairs."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported progress on said named bills, and asked and obtained leave to sit again.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates

to change and alter the course and channel of a stream of water known as 'Big Stream,' where the same passes through the village of Dundee, in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Dow, the Senate adjourned.

TUESDAY, MARCH 23, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The President presented a communication from the board of aldermen of the city of New York relative to the Greenwich Elevated Railway Company; which was read and referred to the committee on railroads.

The Assembly sent for concurrence the bill entitled as follows:

"An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. King, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dayton	King	Selkreg
Bradley	Dow	Ledwith	Thompson
Coe	Fox	Lowery	Wagner
Cole	Jacobs	Ray	Wellman
Connelly	Kellogg	Robertson	Woodin
			20

Mr. King moved to reconsider the vote by which said bill was passed, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to confer additional powers on the common council of the city of Cohoes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to authorize the board of supervisors of the county of Broome to provide for the erection of bridges over the Susquehanna and Chenango rivers, between the towns of Kirkwood and Conklin and Chenango and Fenton, in said county," which was read the first time and by unanimous consent was also read the second time.

words " (will divert the same (i. e., the channel), from the State of New York to a distant point, and into the State of New Jersey;" also on the twenty-second, twenty-third, twenty-fourth, twenty-fifth and twenty-sixth lines the words "*Whereas*, The further effect of said dyke will be to detach a portion of the State of New Jersey, viz.: Shooters' Island, and place the same south of the proposed artificial channel and upon the New York side, thereby destroying the natural boundary lines between the said States, which boundary line is determined by the center of the channel of said Kill von Kull;" and also on line thirty-four the words "it is in violation of the established boundary lines between the said States."

On motion of Mr. King, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to deliver said resolution to the Assembly immediately, and request their concurrence therein.

Mr. Lord offered the following:

Whereas, The Governor has sent to the Legislature a special message, under date of March 19, in which charges of the grossest frauds are made against a large class of private citizens of reputable standing in this State who have performed work upon the canals, and also distinctly charging fraud and corruption upon the commissioners and other public officials having charge of the canals during a series of years past, whereby, it is alleged, that millions of public revenues have been wrongfully appropriated; and whereas, the interests of the State and of good government demand the prompt discovery, suppression and punishment of all frauds, official or otherwise, upon the public treasury, and common justice to all accused require the earliest possible development of the truth or falsity of the charges; therefore,

Resolved, That the President of the Senate appoint a committee of three, whose duty it shall be, forthwith, to investigate and report to the Senate the facts in relation to the charges set forth in said message, and that said committee have full power to send for persons and papers.

On motion of Mr. Robertson, the consideration of said resolution was postponed until to-morrow morning.

The Senate then resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

"An act to amend the Revised Statutes in relation to equalizing the assessment and collection of taxes."

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks for the supervision and the administration of their affairs."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported progress on said named bills, and asked and obtained leave to sit again.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates

to change and alter the course and channel of a stream of water known as 'Big Stream,' where the same passes through the village of Dundee, in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Dow, the Senate adjourned.

TUESDAY, MARCH 23, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The President presented a communication from the board of aldermen of the city of New York relative to the Greenwich Elevated Railway Company; which was read and referred to the committee on railroads.

The Assembly sent for concurrence the bill entitled as follows:

"An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. King, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dayton	King	Selkreg	
Bradley	Dow	Ledwith	Thompson	
Coe	Fox	Lowery	Wagner	
Cole	Jacobs	Ray	Wellman	
Connelly	Kellogg	Robertson	Woodin	20

Mr. King moved to reconsider the vote by which said bill was passed, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to confer additional powers on the common council of the city of Cohoes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to authorize the board of supervisors of the county of Broome to provide for the erection of bridges over the Susquehanna and Chenango rivers, between the towns of Kirkwood and Conklin and Chenango and Fenton, in said county," which was read the first time and by unanimous consent was also read the second time.

On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Selkreg
Bradley	Fox	Ledwith	Thompson
Coe	Jacobs	Lowery	Wagner
Cole	Johnson	McGowan	Wellman
Connelly	Kellogg	Ray	Woodin
Dayton	King	Robertson	23

On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, requesting their concurrence therein.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act for the demolition of unsafe walls and buildings in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to authorize the board of supervisors of the county of Broome to provide for the erection of bridges over the Susquehanna and Chenango rivers, between the towns of Kirkwood and Conklin and Chenango and Fenton, in said county."

Mr. Lord called for the consideration of the resolution in the words following:

Whereas, The Governor has sent to the Legislature a special message, under date of March 19, in which charges of the grossest frauds are made against a large class of private citizens of reputable standing in this State, who have performed work upon the canals, and also distinctly charging fraud and corruption upon the commissioners and other public officials having charge of the canals during a series of years past, whereby, it is alleged, that millions of public revenues have been wrongfully appropriated; and whereas, the interests of the State and of good government demand the prompt discovery, suppression, and punishment of all frauds, official or otherwise, upon the public treasury, and common justice to all accused require the earliest possible development of the truth or falsity of the charges; therefore,

Resolved, That the President of the Senate appoint a committee of three whose duty it shall be, forthwith, to investigate and report to the Senate the facts in relation to the charges set forth in said message, and that said committee have full power to send for persons and papers.

Mr. Jacobs moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens," was passed.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Selkreg
Bradley	Fox	Lord	Thompson
Coe	Johnson	Lowery	Wagner
Cole	Kellogg	McGowan	Wellman
Connelly	King	Ray	Woodin
Dayton	Laning	Robertson	23

On motion of Mr. King, and by unanimous consent, said bill was amended as follows :

Add, at the end of section 1, the following :

" But nothing herein contained shall be construed as extending the time for the payment of the State tax, or any part thereof, by the county treasurer of said county to the Comptroller as now provided by law."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Selkreg
Bradley	Fox	Ledwith	Thompson
Coe	Jacobs	Lowery	Wagner
Cole	Johnson	McGowan	Wellman
Connelly	Kellogg	Ray	Woodin
Dayton	King	Robertson	23

On motion of Mr. King, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Lord offered the following :

Whereas, The Governor in his special message of March 19 states that he is satisfied from information he has received that lock walls upon the canals have been built in an unfaithful way, and not in compliance with the contracts; and whereas, such charges demand an immediate investigation; therefore,

Resolved, That the State Engineer and Surveyor be, and he is hereby required forthwith to examine personally the stone, and to report to the Senate the quarries from which such stone were taken for the construction of the locks now being built, and that have been built within the last three years, the description of the dressing of such stone, and the manner and quality of such work, and whether it is done according to the contracts; and if not, in what respect, and whether done at prices for the interests of the State.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Gross moved that the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," be considered in the first committee of the whole not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend an act entitled 'An act in relation to county treasurers.'"

Assembly, "An act in relation to county treasurers."

"An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn."

After some time spent therein the President resumed the chair, and Mr. Lowery, from said committee, reported progress on said named bills, and asked and obtained leave to sit again.

Mr. Coe moved that the last named bill be recommitted to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson moved that the further consideration of the Assembly bill entitled "An act in relation to county treasurers," be made a special order for Thursday next, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Jacobs, the Senate adjourned.

WEDNESDAY, MARCH 24, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Woodin moved that the consideration of the special order be deferred until the Senate has gone through its regular order of business down to "special orders."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to confer additional powers on the common council of the city of Cohoes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to repeal chapter 645 of the Laws of 1873, entitled 'An act to alter the map or plan of the city of New York by extending Desbrosses street,'" reported in favor of the

passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the petition of citizens of New York city, praying for the discontinuance of Avenue B of said city," reported by bill entitled "An act to alter the map or plan of the city of New York by striking therefrom the proposed Avenue B between Sixty-eighth and Seventy-ninth streets," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, etc.," with amendments, the title amended so as to read "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe keeping, and the duties of the State Commissioner in Lunacy,' passed July 12, 1874," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act for the incorporation of societies or clubs for certain lawful purposes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in the county of Rockland," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Fox	McGowan	Selkreg
Coe	Jacobs	Middleton	Thompson
Cole	Johnson	Moore	Wagner
Connelly	Kellogg	Ray	Wood
Dayton	King		

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On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the powers of boards of supervisors in the several counties of the State in the election or appointment of railroad commissioners," with amendments, the title thereof amended so as to read "An act in relation to the appointment of railroad commissioners," and said bill was committed to the committee of the whole.

Mr. Robertson moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to establish a law library in the city of Utica," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe keeping, and the duties of the State Commissioner in Lunacy, passed May 12, 1874,' so far as the same relates to the sale, mortgage or other disposition of the real estate of drunkards," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson moved that the committee on the judiciary be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn," and that the same be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ooe moved that the committee of the whole be discharged from the further consideration of the said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President presented the report of the Comptroller, in response to a concurrent resolution of the Senate and Assembly, relative to salaries paid and services rendered by employees of the Legislature of 1874; which was laid upon the table and ordered printed.

(See Doc. No. 68.)

The President presented a statement from the Superintendent of the Bank Department, in response to a resolution of the Senate, relative to expenses of conducting the business of each savings bank for the year 1874; which was laid upon the table and ordered printed.

(See Doc. No. 67.)

The Assembly returned the bill entitled "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof,'" with a message that they had concurred in the passage of the same, with the following amendment:

Add, at the end of section 1, the words following: "or to purchase, hold, own and dispose of any stock in other corporations owning such real estate situated in such States or foreign countries in conformity to the laws thereof."

Mr. Woodin moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the following entitled Assembly bills, with messages that they had concurred in the amendments of the Senate thereto, respectively:

"An act to amend an act passed May 27, 1873, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk.'"

"An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That 5,000 copies of the message of His Excellency the Governor relative to canals be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to amend 'An act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park in or outside of the city of Binghamton, and lay out the same,' passed April 6, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Evangelical Lutheran Synod of the State of New York,' passed April 29, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to confirm the election of village trustees in certain cases, and to provide for determining by lots their respective terms of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Coe asked and obtained leave to introduce a bill entitled "An act to amend chapter 285 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, the Buffalo State Asylum for the Insane, and the State Reformatory at Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Ray moved that the committee of the whole be discharged from

the further consideration of the bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," and that the same be committed to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate, in committee of the whole, then proceeded to the consideration of the special order, being the message of the Governor relative to the canals of the State; and, after some time spent therein,

Mr. Ray, from said committee, reported progress on said message, and asked and obtained leave to sit again.

Mr. Laning moved that the further consideration of the message be made a special order for to-morrow morning at half-past eleven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Wellman moved that the Senate hold an executive session at quarter before two o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dickinson moved that the Assembly bill entitled "An act to authorize a tax to be levied upon the town of Potsdam to build a town house," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders; and, after some time spent therein, the hour of quarter before two o'clock having arrived, the President resumed the chair and announced executive session.

Mr. Gross moved that the executive session be postponed for fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate, in committee of the whole, resumed the consideration of general orders, being the bills entitled as follows:

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks for the supervision and the administration of their affairs."

"An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

After some time spent therein the President resumed the chair, and Mr. Dayton, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Dayton, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Gross moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Gross, the Senate adjourned.

THURSDAY, MARCH 25, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Lowery presented a petition of members of the American Institute of the city of New York for amendments to the charter of said institute; which was read and referred to the committee of the whole.

Also, a remonstrance of electors of the town of Whitestown, Oneida county, against annexation to the city of Utica; which was read and referred to the committee on the affairs of cities.

Mr. Ledwith presented a remonstrance against insurance companies loaning their capital out of this State; which was read and referred to the committee of the whole.

Mr. Woodin moved that the consideration of the special order, being the Assembly bill entitled "An act in relation to county treasurers," be deferred until after the presentation of reports of standing committees.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn."

Mr. Lowery, from the committee on manufactures, to which was recommitted the bill entitled "An act to amend the charter of the American Institute of the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson moved that the committee on the judiciary be discharged from the further consideration of Assembly bill entitled "An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," and that the same be recommitted to the committee on roads and bridges.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Patrick J. Wallace as executor of Anna Hanlon, deceased, the real estate of which Edward Brown died seized," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the completion of the organization of companies heretofore incorporated," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend certain sections of title 3, (entitled 'Of partitions of lands owned by several persons') of chapter 5 of part 3 of the Revised Statutes, and to repeal certain of the sections of said title," reported adversely thereto, which report was agreed to, and said bill rejected.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act in relation to contracts for the construction or completion of the canals of this State, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act relating to the foreclosure of mortgages by advertisement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act supplementary to chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act relative to expenditures of the departments, offices and branches of the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act relative to claims and legal proceedings against the mayor, aldermen and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act in relation to the United States Deposit Fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act giving the consent of the State of New York to the purchase of certain lands now occupied by the United States Military Academy or appertaining to the lands so occupied, and the ceding jurisdiction of this State over said lands to the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Laning moved that the consideration of the special order set down for to-day, being the Assembly bill entitled "An act in relation to county

treasurers," be made the special order for to-morrow morning, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Assembly returned the concurrent resolution relative to printing 1,000 copies of Assembly Document No. 38, relative to quarantine jurisdiction between New York and New Jersey, with a message that they had concurred in the passage of the same.

The Assembly returned the Assembly bill entitled "An act to extend the time for the collection of taxes in the county of Rockland," with a message that they had concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the bill entitled "An act providing for the appointment of additional notaries public," with a message that they had concurred in the passage of the same, with the following amendments :

Line 4, engrossed bill, after the word "county," insert the words "except the city and county of New York."

Line 5, after the word "district," insert the words "and in said city and county two hundred and fifty notaries public."

Add, at the end of section 1, the following :

"And hereafter, at the time of subscribing or filing the oath of office, the county clerk of each county, and the clerk of the city and county of New York, shall collect from the person appointed the sum of one dollar, and the said clerks, respectively, shall account annually therefor to the State treasurer."

Add, as section 2, the following :

"§ 2. All acts and parts of acts inconsistent with this act are hereby repealed."

Change section 2 to section 3.

Mr. Woodin moved that the Senate non-concur in said amendments, that a committee of conference be appointed thereon, and the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee Messrs. Woodin, Tobey, and Gross.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in said amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide for the support of government," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Wood moved that said bill be made a special order for to-morrow morning immediately after disposing of the bill relative to county treasurers.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to confirm the election of village

trustees in certain cases, and to provide for determining by lot their respective terms of office," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Madden, from the committee on railroads, to which was referred the bill entitled "An act authorizing and requiring the New York Elevated Railroad Company to continue and complete its railroad in the city of New York, and to regulate the construction, operation, and management thereof," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to authorize and require the New York Elevated Railroad Company to continue and complete its railroad in the city of New York, and to regulate the construction, operation, and management thereof," and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Bath, in the county of Steuben,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," having been announced for a third reading,

Mr. Gross moved that said bill be recommitted to the committee on the affairs of cities, with instructions to amend as follows:

Strike out all amendments made since the delivery thereof to the Senate, and to insert, after the word "chamberlain," in line 21, section 1, as follows:

"And which rate shall be equal to the average rate of interest paid upon deposits repayable on demand, commonly called 'call loans,' by the banks or trust companies in said city, which, in the judgment of the said mayor and chamberlain, shall be."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Ledwith	Moore	
Dayton	Johnson	Lord	Parmenter	
Gross	Laning	Madden	Ray	12

FOR THE NEGATIVE.

Booth	Dow	Middleton	Wagner
Coe	Kellogg	Robertson	Wellinan
Cole	King	Selkreg	Wood
Connelly	Lowery	Thompson	Woodin
Dickinson			

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Mr. Gross moved to recommit said bill to the committee on the affairs of cities, with instructions to amend as follows:

Strike out all amendments made since the delivery to the Senate, and to insert, after the word "chamberlain," in line 21, section 1, as follows:

"§ 35. The said chamberlain and mayor shall, from time to time, by notice published in the City Record, and in such other papers as they may designate, invite sealed bids or proposals to take on deposit the money of the said city and county for a time to be stated in such advertisement, and all bids or proposals received shall be publicly opened in the presence of the said mayor and chamberlain, and the banks or trust companies offering to pay into the city treasury the highest rate of interest on the daily balances, and which, in the opinion of the said mayor and chamberlain, are safe, shall thereupon be designated as depositories in which all moneys of the mayor, aldermen and commonalty of the city of New York shall be deposited, and notice, in writing, of such designation shall thereupon be given to the comptroller."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lord	Moore
Dayton	Johnson	Madden	Parmenter
Dickinson	Laning	Middleton	Ray
Gross	Ledwith		

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FOR THE NEGATIVE.

Booth	Dow	Robertson	Wellman
Coe	Kellogg	Selkreg	Wood
Cole	King	Wagner	Woodin
Connelly	Lowery		

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The President of the Senate voting in the affirmative.

The bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	Madden	Selkreg
Coe	Kellogg	Middleton	Thompson
Connelly	King	Parmenter	Wagner
Dayton	Laning	Ray	Wellman
Dickinson	Lord	Robertson	Woodin
Dow	Lowery		

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the message of the Governor relative to the canals.

After some time spent therein, the President resumed the chair, and Mr. Ray, from said committee, reported progress on said message, and asked and obtained leave to sit again.

Mr. Woodin moved that the further consideration of said message be made a special order for to-morrow morning.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Wood moved that a session of the Senate be held this evening at half-past seven o'clock.

Mr. Gross moved to amend said motion by adding the words "that hereafter sessions of the Senate be held on Tuesday and Thursday evenings of each week."

The President put the question whether the Senate would agree to said motion of Mr. Gross, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Wood, as amended, and it was decided in the affirmative.

Mr. Jacobs moved that a session of the Senate be held this evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lord moved to take from the table the following resolution:

Whereas, The Governor has sent to the Legislature a special message, under date of March 19, in which charges of the grossest frauds are made against a large class of private citizens of reputable standing in this State who have performed work upon the canals, and also distinctly charging fraud and corruption upon the commissioners and other public officers having charge of the canals during a series of years past, whereby, it is alleged, that millions of public revenues have been wrongfully appropriated; and whereas, the interests of the State and of good government demand the prompt discovery, suppression and punishment of all frauds, official or otherwise, upon the public treasury, and common justice to all accused require the earliest possible development of the truth or falsity of the charges; therefore,

Resolved, That the President of the Senate appoint a committee of three, whose duty it shall be, forthwith, to investigate and report to the Senate the facts in relation to the charges set forth in said message, and that said committee have full power to send for persons and papers.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs offered the following as an amendment:

Resolved (if the Assembly concur), That the Governor is hereby authorized to appoint a commission of three persons, whose duty it shall be to investigate the affairs of the canals of this State, and especially the matters embraced in the special message of the Governor communicated to the Legislature on the 19th day of March, 1875; said commission shall have power to subpoena and compel the attendance of witnesses, to require the production before them of any papers in the custody or possession of any witness touching the subject of such investigation, and to examine such witnesses and such public records of the State as they shall require for the purposes of such investigation. Any member of said commission shall have power to administer oaths to witnesses summoned before them. They shall have authority to employ a clerk and stenographer, and shall report the testimony they shall take, together with such recommendations in respect to the same as they shall deem warranted by the facts, to the Governor and Legislature. They shall also furnish a copy of such testimony to the Attorney-General.

Pending which,

Mr. Robertson moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on the affairs of cities, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," with instructions to make certain amendments thereto, reported that they have amended said bill as instructed, and directed their chairman to report the same to the Senate.

On motion of Mr. Dow, the Senate then went into executive session; and, after some time spent therein, the doors were opened, and

On motion of Mr. Dow, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

On motion of Mr. Jacobs the roll was called, and the following Senators answered to their names :

Booth	Johnson	McGowan	Thompson
Connelly	King	Middleton	Wagner
Dayton	Laning	Ray	Wellman
Dow	Ledwith	Robertson	Wood
Jacobs	Lowery	Selkreg	19

Mr. Jacobs moved to lay the present order of business of general orders upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Gross	Jacobs	2
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FOR THE NEGATIVE.

Booth	Johnson	McGowan	Selkreg
Connelly	King	Middleton	Thompson
Dayton	Laning	Ray	Wellman
Dow	Lowery	Robertson	Wood
			16

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to authorize a tax to be levied upon the town of Potsdam to build a town house."

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks for the supervision and the administration of their affairs."

After some time spent therein the President resumed the chair, and Mr. McGowan, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. McGowan, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to provide for and regulate the mode of admission and allowance of attorneys and counselors coming from the courts of other States to practice in the courts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to authorize the coroners of the county of New York to employ a stenographer in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

On motion of Mr. Johnson, the Senate adjourned.

FRIDAY, MARCH 26, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. McGowan moved that the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to village of Ilion,' passed March 8, 1865," be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Booth presented a remonstrance of the Ship Owners' Association against the bill in relation to the department of docks in the city of New York; which was read and referred to the committee on commerce and navigation.

Mr. Johnson moved that the consideration of the special orders, being the following entitled Assembly bills, be postponed and made a special order for Tuesday next at half-past eleven o'clock, A. M.:

"An act in relation to county treasurers."

"An act to provide for the support of government."

Mr. Woodin moved to amend said motion by adding thereto the question of agreeing to the adverse report of the committee on the affairs of cities upon the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," and that the same be considered immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion of Mr. Woodin, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Johnson, as amended, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Cole, from the standing committee on privileges and elections, to which was referred the matter of the petition of William Youmans, Jr., claiming the seat of Hon. James G. Thompson, Senator from the Twenty-third Senatorial district, presented a majority report thereon.

Mr. Cole moved that said report be laid upon the table and printed, and that the consideration thereof be made a special order for Wednesday next.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

(See Doc. No. 69.)

Mr. Bradley, from the same committee, presented a minority report upon the same subject.

Mr. Bradley moved that said report be laid upon the table and printed, and that the consideration thereof be made a special order for Wednesday next.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

(See Doc. No. 70.)

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to relieve the premises of one person erroneously assessed and taxed in and with the premises of another upon application to the supreme court," reported in favor of the passage of the same, with amendments, the title thereof amended so as to read "An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act giving the consent of the State of New York to the purchase of certain lands now occupied by the United States Military Academy, or appertaining to the lands so occupied, and the ceding jurisdiction of this State over said lands to the United States," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the bill entitled "An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize and confirm the official acts of Ensworth D. Babcock as notary public in the town of Adams, Jefferson county, New York," reported in favor of the passage of the same, with amendments, the title thereof amended so as to read "An act to legalize the acts of Ensworth D. Babcock as notary public," and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to amend title 15 of chapter 8 of part 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of their State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Robertson
Cole	King	Middleton	Selkreg
Connelly	Laning	Moore	Tobey
Dayton	Ledwith	Parmenter	Wagner
Dow	Lowery	Ray	Woodin
Fox	Madden		

22

On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, requesting their concurrence therein.

The Assembly sent for concurrence the bills entitled as follows :

"An act to enable the trustees of the village of Clyde, in the county of Wayne, to raise by tax the sum of six thousand dollars and interest thereon, wherewith to pay the indebtedness existing against said village," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Thompson
Bradley	Fox	Ledwith	Tobey
Coe	Gross	Lowery	Wagner
Cole	Jacobs	Middleton	Wellman
Connelly	Johnson	Ray	Wood
Dayton	King	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

"An act to extend the time for the collection of taxes in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the time for the collection of taxes in the county of Livingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 673 of the Laws of 1871, entitled "An act to authorize the construction of sewers in the village and town of Saratoga Springs," passed April 21, 1871," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wagner, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Robertson
Bradley	Gross	Madden	Selkreg
Cole	Jacobs	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dayton	King	Parmenter	Wagner
Dow	Ledwith	Ray	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the following entitled bill, with a message that they had non-concurred in the passage of the same :

"An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864."

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That there be appointed a joint committee of three in the Senate and five in the House (to be appointed by the Speaker) to investigate and examine into the question of fraud or collusion between the State officers and the contractors in reference to the letting or prosecution of any contracts for work upon the canals now in force or finished, and that the said committee be empowered to employ counsel and a stenographer, and also have power to send for persons and papers, and that said committee be at liberty to report partially at any time, but shall be required to report in full within thirty days.

Ordered, That said resolution be laid upon the table.

Also, the following :

Resolved (if the Senate concur), That the Governor is hereby authorized to appoint a commission of three persons, whose duty it shall be to investigate the affairs of the canals of this State, and especially the matters embraced in the special message of the Governor communicated to the Legislature on the 19th day of March, 1875; said commission shall have power to subpoena and compel the attendance of witnesses, to require the production before them of any paper in the custody or possession of any witness touching the subject of such investigation, and to examine such witnesses and such public records of the State as they shall require for the purpose of such investigation. Any member of said commission shall have power to administer oaths to witnesses summoned before them. They shall have authority to employ a clerk and stenographer, and shall report the testimony they shall take, together with such recommendations in respect to the same as they shall deem warranted by the facts, to the Governor and Legislature. They shall also furnish a copy of such testimony to the Attorney-General.

Mr. Jacobs moved to postpone the consideration of the message of the Governor relative to the canals, and that the rules be suspended in order to consider said resolution immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Middleton	
Bradley	Jacobs	Lowery	Moore	
Fox	King	McGowan	Parmenter	12

FOR THE NEGATIVE.

Coe	Johnson	Ray	Wagner	
Cole	Kellogg	Robertson	Wellman	
Connelly	Laning	Selkreg	Wood	
Dayton	Lord	Thompson	Woodin	
Dow	Madden	Tobey		19

Ordered, That said resolution be laid upon the table.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act to authorize the extension of the time for the collection of taxes in the several towns of the State."

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to increase the efficiency of the engineer department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the message of the Governor relative to the canals of the State.

After some time spent therein the President resumed the chair, and Mr. Ray, from said committee, reported progress on said message, and asked and obtained leave to sit again.

Mr. Woodin moved that the further consideration of said message be made a special order for Monday evening next immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

By unanimous consent, Mr Lowery asked and obtained leave to introduce a bill entitled "An act creating the office of inspector of public works, and providing for his appointment and compensation," which was read the first time, and by unanimous consent was also read the second time.

Mr. Lowery moved that the rules be suspended, and that said bill be committed to the committee of the whole, and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Lowery moved that said bill be referred to the committee on finance, and printed.

Mr. Woodin moved to amend said motion by striking out the word "finance," and inserting in lieu thereof the word "canals."

The President put the question whether the Senate would agree to said motion of Mr. Woodin, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Lowery, as amended, and it was decided in the affirmative.

Mr. Gross moved that when the Senate adjourns to-day, it adjourns to meet on Monday evening next at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Ray
Coe	King	McGowan	Thompson
Cole	Laning	Moore	Tobey
Dow	Ledwith	Parmenter	Wagner

16

FOR THE NEGATIVE.

Bradley	Jacobs	Middleton	Wellman
Connelly	Johnson	Robertson	Wood
Dayton	Lord	Selkreg	Woodin
Fox	Lowery		

14

When the name of Mr. Jacobs was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the negative.

Mr. Jacobs subsequently voted in the negative.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act relative to the incorporation of musical colleges, schools, and academies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to amend chapter 592 of the Laws of 1874, entitled 'An act to incorporate the Merchants' Loan Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Woodin, from the committee on the affairs of cities, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor asking for the return to this House, for the purpose of amendment, Assembly bill (not printed) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city."

On motion of Mr. Laning, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the bill entitled "An act providing for the appointment of additional notaries public," with a message that they consent to a committee of conference thereon, and had appointed as such committee, on their part, Messrs. Waehner, Sherman, Cooke, McAfee, and Lincoln.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to authorize the extension of the time for the collection of taxes in the several towns of the State."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Jacobs moved to take from the table the resolution in the words following:

Whereas, The Governor has sent to the Legislature a special message, under date of March 19, in which charges of the grossest frauds are made against a large class of private citizens of reputable standing in this State, who have performed work upon the canals, and also distinctly charging fraud and corruption upon the commissioners and other public officers having charge of the canals during a series of years past, whereby, it is alleged, that millions of public revenues have been wrongfully appropriated; and whereas, the interests of the State and of good government demand the prompt discovery, suppression, and punishment of all frauds, official or otherwise, upon the public treasury, and common justice to all accused require the earliest possible development of the truth or falsity of the charges; therefore,

Resolved, That the President of the Senate appoint a committee of three whose duty it shall be, forthwith, to investigate and report to the Senate the facts in relation to the charges set forth in said message, and that said committee have full power to send for persons and papers.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President stated the pending question to be upon the amendment of Mr. Jacobs, as follows:

Resolved (if the Assembly concur), That the Governor is hereby authorized to appoint a commission of three persons, whose duty it shall be to investigate the affairs of the canals of this State, and especially the matters embraced in the special message of the Governor communicated to the Legislature on the 19th day of March, 1875. Said commission shall have power to subpoena and compel the attendance of witnesses, to require the production before them of any papers in the custody or possession of any witness touching the subject of such investigation, and to examine such witnesses and such public records of the State as they shall require for the purposes of such investigation. Any member of said commission shall have power to administer oaths to witnesses summoned before them. They shall have authority to employ a clerk and stenographer, and shall report the testimony they shall take, together with such recommendations in respect to the same as they shall deem warranted by the facts, to the Governor and to the Legislature. They shall also furnish a copy of such testimony to the Attorney-General.

Said amendment having been amended, by unanimous consent, so as to read as follows:

Resolved (if the Assembly concur), That the Governor is hereby authorized, by and with the advice and consent of the Senate, to appoint a commission of four persons, whose duty it shall be to investigate the affairs of the canals of the State, and especially the matters embraced in the special message of the Governor communicated to the Legislature on the 19th day of March, 1875. Said commission shall have power to subpoena and compel the attendance of witnesses, to require the production before them of any papers in the custody or possession of any witness touching the subject of such investigation, and to examine such witness and such public records of the State as they shall require for the purposes of such investigation. Said commission in their investigation

shall, at least, cover the years 1808 to 1875, inclusive, but shall not be restricted to that period. Any member of said commission shall have power to administer oaths to witnesses summoned before them. They shall have authority to employ a clerk and stenographer, and shall report the testimony they shall take, together with such recommendations in respect to the same as they shall deem warranted by the facts, to the Governor and to the Legislature at the opening of its next session. They shall also furnish a copy of such testimony to the Attorney-General.

And, after debate thereon,

Mr. Laning moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Coe	Laning	Ray	Thompson	
Dayton	Lord	Robertson	Wood	
Johnson	Moore	Selkreg		11

FOR THE NEGATIVE.

Booth	Fox	Ledwith	Tobey	
Cole	Gross	Lowery	Wellman	
Connelly	Jacobs	Middleton	Woodin	
Dow	King			14

Mr. Bradley moved to strike out the words "by and with the advice and consent of the Senate."

Pending which,

Mr. Johnson moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Coe	Johnson			2
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FOR THE NEGATIVE.

Booth	Dow	Ledwith	Selkreg	
Bradley	Fox	Middleton	Thompson	
Cole	Gross	Moore	Wellman	
Connelly	Jacobs	Ray	Wood	
Dayton	King	Robertson	Woodin	20

Mr. Laning moved that the Senate do now go into executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Lord	Wood	
Dayton	Laning	Thompson		7

FOR THE NEGATIVE

Booth	Fox	Ledwith	Ray	
Cole	Gross	Lowery	Robertson	
Connelly	Jacobs	Middleton	Wellman	
Dow	King	Moore	Woodin	16

The President then put the question whether the Senate would agree to said motion of Mr. Bradley, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dayton	Ledwith	Moore	
Coe	Gross			6

FOR THE NEGATIVE.

Booth	Jacobs	Middleton	Thompson	
Cole	King	Ray	Wellman	
Connelly	Laning	Robertson	Wood	
Dow	Lowery	Selkreg	Woodin	16

The President then put the question whether the Senate would agree to said amendment of Mr. Jacobs, as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Selkreg	
Bradley	Fox	Lowery	Thompson	
Coe	Gross	Middleton	Wellman	
Cole	Jacobs	Moore	Wood	
Connelly	King	Ray	Woodin	
Dayton	Ledwith	Robertson		23

The President then put the question whether the Senate would agree to said resolution of Mr. Lord, as amended, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

On motion of Mr. Lord, the Senate then went into executive session; and, after some time spent therein, the doors were opened, and

On motion of Mr. Gross, the Senate adjourned.

MONDAY, MARCH 29, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, March 26, was read and approved.

The Senate, in committee of the whole, proceeded to the consideration of the special order, being the message of the Governor relative to the canals.

After some time spent therein the President resumed the chair, and Mr. Ray, from said committee, reported progress on said named message, and asked and obtained leave to sit again.

Mr. Johnson moved that the further consideration of the message be made a special order for to-morrow morning immediately after the reading of the journal.

Mr. Robertson moved to amend by striking out the words "to-morrow morning," and inserting in lieu thereof the words "to-morrow evening."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Johnson, as amended, and it was decided in the affirmative.

Mr. Wellman, from the committee on the militia, to which was referred the bill entitled "An act further to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bill entitled as follows :

"An act relating to the stock of the Delhi and Middletown Railroad Company owned by the town of Andes, Delaware county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to provide for the consolidation of school districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act relating to appeals by incorporated cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Connelly asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' passed April 10, 1855, as amended by chapter 847 of the Laws of 1866, passed April 28, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

On motion of Mr. Wood, the Senate then went into executive session; and, after some time spent therein, the doors were opened, and

On motion of Mr. Jacobs, the Senate adjourned.

TUESDAY, MARCH 30, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The President having announced the special order, being the question of agreeing to the adverse report of the committee on the affairs of cities relative to the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

Mr. Gross moved that the same be deferred until the regular order of business of the Senate, down to "special orders," has been disposed of.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dow presented a petition for a separate road district in the town of South Valley for an appropriation to repair a bridge in said town; which was read and referred to the committee on finance.

Mr. Wood presented a remonstrance of the supervisors of Onondaga county against the passage of the county treasurers' bill; which was read and referred to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein; and also an act amendatory thereof known as chapter 867 of the Laws of 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the Assembly bill entitled "An act to enable the board of education of the city of Brooklyn to sell certain lands," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print copies of the Eighth Annual Report of the State Board of Charities, reported in favor of the adoption of the following resolution:

Resolved (if the Assembly concur), That there be printed of the Eighth Annual Report of the State Board of Charities 1,500 copies for the use of the Board; 1,000 copies in paper covers, and 500 copies bound in muslin.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Cole	King	Ray	Wagner
Connelly	Lowery	Robertson	Wellman
Dickinson	Middleton	Selkreg	Wood
Dow	Parmenter	Thompson	Woodin
Jacobs			

17

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print copies of the Report of the State Engineer and Surveyor on Railroads, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That there be printed and bound in cloth, under the direction of the State Engineer and Surveyor, the following number of copies of the Report on Railroads for the year ending September 30, 1874: For each Senator, member, officer, and reporter of the Senate and Assembly ten (10) copies, and for the State Engineer and Surveyor two thousand four hundred (2,400) copies; the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller on the several railroad companies of this State.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Middleton	Thompson
Cole	Gross	Parmenter	Wagner
Connelly	Jacobs	Ray	Wellman
Dayton	King	Robertson	Wood
Dickinson	Lowery	Selkreg	Woodin

20

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print additional copies of the Report of the State Engineer and Surveyor on Canals, reported in favor of the adoption of the following resolution :

Resolved (if the Senate concur), That there be printed for the use of the State Engineer's Department 750 additional copies, bound in cloth, of the State Engineer and Surveyor's Report on the Canals for the fiscal year ending September 30, 1874.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Thompson
Bradley	Gross	Middleton	Wagner
Cole	Jacobs	Parmenter	Wellman
Connelly	King	Ray	Wood
Dayton	Lord	Selkreg	Woodin
Dow			

21

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print copies of the Report of the Canal Appraisers, reported in favor of the adoption of the following resolution :

Resolved (if the Assembly concur), That 500 copies of the Annual Report of the Canal Appraisers be printed, with paper covers, for the use of the Board of Appraisers.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Middleton	Thompson
Bradley	Jacobs	Parmenter	Wagner
Cole	Kellogg	Ray	Wellman
Connelly	King	Robertson	Wood
Dayton	Lowery	Selkreg	Woodin
Dow			

21

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Connelly, from the committee on public printing, to which was referred the resolution to print copies of the Governor's Message relative to the Canals, reported in favor of the adoption of the following resolution :

Resolved (if the Senate concur), That 5,000 copies of the Message of His Excellency the Governor relative to the Canals be printed for the use of the Legislature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Selkreg	
Bradley	Fox	Lowery	Thompson	
Cole	Gross	Middleton	Wagner	
Connelly	Jacobs	Parmenter	Wellman	
Dayton	Kellogg	Ray	Wood	
Dickinson	King	Robertson	Woodin	24

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Booth presented the Twenty-eighth Annual Report of the New York State Museum of Natural History; which was laid upon the table and ordered printed.

(See Doc. No. 71.)

A communication was received from the Comptroller in the words following:

STATE OF NEW YORK — COMPTROLLER'S OFFICE, }
ALBANY, March 30, 1875.

To the Legislature:

Chapter 760 of the Laws of 1873 contains the following provision, to wit: "The sum of \$1,500 is hereby appropriated to be paid to Asa Fitch for revising and completing for publication his survey of the noxious and other insects of the State, the State to have the right to publish, at all times, any number of copies of said work for its own use without further payment."

I have the honor to submit herewith, for the consideration of the Legislature, the revised report of Mr. Fitch on the subject referred to in said appropriation. The work has been submitted to the State printer, who has given a certificate that it is in perfect order to be put in type, in case its publication shall be ordered by the Legislature.

Very respectfully yours,

NELSON K. HOPKINS,

Comptroller.

Ordered, That said communication be referred to the committee on public printing.

By unanimous consent, Mr. Dow asked and obtained leave to introduce a bill entitled "An act to make town 1, range 8, of the Holland Land Company's Survey, located in the town of South Valley, Cattaraugus county, a separate road district, and provide for a commissioner of highways for said district; and also to appropriate money to repair a bridge over the Allegany river on the Indian reservation in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly bill entitled "An act to authorize a tax to be levied upon the town of Potsdam to build a town house," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Middleton	Tobey
Bradley	Kellogg	Ray	Wagner
Cole	King	Robertson	Wellman
Connelly	Laning	Selkreg	Wood
Dayton	McGowan	Thompson	Woodin
Dickinson			

21

FOR THE NEGATIVE.

Fox	Johnson	Lord	Moore
Gross			

5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Moore
Dayton	Jacobs	Ledwith	Parmenter
Fox	Johnson	Lord	Ray

12

FOR THE NEGATIVE.

Booth	Kellogg	Robertson	Wagner
Cole	King	Selkreg	Wellman
Connelly	McGowan	Thompson	Wood
Dickinson	Middleton	Tobey	Woodin
Dow			

17

Mr. Woodin moved to reconsider the vote by which said bill was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Middleton	Tobey
Bradley	Fox	Parmenter	Wagner
Cole	Kellogg	Ray	Wood
Connelly	King	Robertson	Woodin
Dayton	McGowan	Thompson	

19

Mr. Woodin moved that said bill be committed to the committee on the affairs of cities.

Mr. Johnson moved to commit said bill to a select committee composed of the Senators from the city of New York.

Mr. Woodin moved to commit said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion to commit said bill to the committee on the affairs of cities, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion to commit said bill to a select committee, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion to commit said bill to the committee of the whole, and it was decided in the affirmative.

Mr. Woodin moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to confirm the proceedings of the board of supervisors of the county of New York in the authorization of the appointment of assistant keepers at the county jail in said county, and for the relief of the persons so appointed," and that the same be recommitted to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then proceeded to the consideration of the special order, being the adverse report of the committee on the affairs of cities upon the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

After debate,

Mr. Gross moved to disagree with the report of the committee, and that the same be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Moore
Dayton	Jacobs	Ledwith	Parmenter
Fox	Johnson	Lord	Ray
			12

FOR THE NEGATIVE.

Booth	Kellogg	Robertson	Wagner
Cole	King	Selkreg	Wellman
Connelly	Lowery	Thompson	Wood
Dickinson	McGowan	Tobey	Woodin
Dow	Middleton		18

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Dickinson moved that the Senate hold an executive session at quarter before two o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act to incorporate the Buffalo Exchange."

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent, Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act to release the right, title, and interest of the people of the State of New York in and to certain real estate of which James Gillen died seized to Elizabeth Ryall, late widow of the said James Gillen, deceased, and now wife of Christopher Ryall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows :

"An act in relation to county treasurers."

After some time spent therein, the hour of quarter before two o'clock having arrived, the President resumed the chair, and the Senate went into executive session; at the conclusion of which the doors were opened, and

On motion of Mr. Ledwith, the Senate adjourned until to-morrow morning at eleven o'clock.

WEDNESDAY, MARCH 31, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Lowery presented a remonstrance of citizens of Whitestown against annexing any part of said town to the city of Utica; which was read and referred to the committee on the affairs of cities.

Mr. Jacobs presented a remonstrance of citizens of the city of New York against permitting life insurance companies loaning their capital in other States; which was read and referred to the committee of the whole.

Mr. Wellman, from the committee on State prisons, to which was referred the bill entitled "An act to further improve the discipline of the State prisons of this State," reported that they have had the same under consideration, made some amendments thereto, and directed their chairman to report the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on public health, to which was recommended the bill entitled "An act to amend chapter 436 of the Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York,' passed May 11, 1874," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to incorporate Rescue Hook and Ladder Company of Tonawanda, Erie county, New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in Madison county, and repeal its present charter,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' passed April 10, 1855, as amended by chapter 847 of the Laws

of 1866, passed April 28, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners,' passed April 16, 1872," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the bill entitled "An act amending an act entitled 'An act to incorporate the Evangelical Lutheran Synod of the State of New York,' passed April 29, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *March 30, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Gallagher, and by unanimous consent, the same was amended as follows :

Section 1, engrossed bill, line 7, after the word "direct," insert the words "within one year from the issuing thereof."

And as amended passed, and ordered sent to the Senate for concurrence.

By order,

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Selkreg
Cole	Gross	Lowery	Thompson
Connelly	Jacobs	Moore	Wellman
Dayton	Johnson	Ray	Wood
Dickinson	King	Robertson	Woodin
Dow	Laning		

22

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg
Cole	Jacobs	Moore	Thompson
Connelly	King	Parmenter	Wellman
Dayton	Laning	Ray	Wood
Dow	Ledwith	Robertson	Woodin 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The President presented resolutions, reports, and toll-sheet adopted by the Canal Board for the year 1875.

Mr. Wood moved that the Report, etc., be referred to the committee on canals and forthwith printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. 73.)

The Assembly sent for concurrence the bills entitled as follows:

"An act to extend the time for the collection of taxes in the city of Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the time for the collection of assessments for the improvement of Fulton avenue in the town of New Lots, Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act providing for the election of bay constables in the towns of Brookhaven, Islip, Babylon, and Huntington, in the county of Suffolk, and to define their duties; also to repeal section 8 of chapter 234 of the Laws of 1870, entitled 'An act for the preservation of shell-fish in the waters of the South bay, Suffolk county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester, and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' passed June 18, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer,' passed May 5, 1870," with a message that they do not concur in the amendment of the Senate thereto, request a committee of conference thereon, and had appointed as such committee, on their part, Messrs. W. F. Taylor, McGroarty, Cleary, Reilly, and Lawson.

Mr. Parmenter moved that a committee of conference be appointed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Parmenter, Thompson, and Connelly.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon.

The Assembly returned the following bill, with a message that they had concurred in the passage of the same:

"An act in relation to the treatment of animals."

Ordered, That the Clerk deliver said bill to the Governor.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the Senate bill entitled "An act providing for the appointment of additional notaries public," having met and duly considered the same, have agreed to recommend as follows:

In place of the amendment made in the Assembly, at the end of section 1, insert the following: "And hereafter, at the time of subscribing or filing the oath of office, the county clerk of each county, and clerk of the city and county of New York, shall collect from the person appointed the sum of fifty cents, and the said clerks, respectively, shall annually account therefor to the State Treasurer."

Also, that the Senate concur in the other amendments made in the Assembly.

WM. B. WOODIN,
F. W. TOBEY,
JACOB GROSS,
Senate Committee.

L. C. WAEHNER,
JAS. E. COOKE,
KNOX McAFEE,
R. U. SHERMAN.
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Thompson
Bradley	Gross	Moore	Wagner
Cole	Johnson	Parmenter	Wellman
Dayton	King	Robertson	Wood
Dickinson	Ledwith	Selkreg	Woodin
Dow	Lord		

22

FOR THE NEGATIVE.

Connelly Laning

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Gross moved to take from the table the question of agreeing to the amendments of the Assembly to Senate bill entitled "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate, for business purposes, in other States, with the consent thereof.'"

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Gross moved that the Senate do non-concur in said amendments, and that a committee of conference be appointed thereon, and that the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Gross, Dickinson and Bradley.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

By unanimous consent, Mr. Wellman asked and obtained leave to introduce a bill entitled "An act in relation to the publication of surrogates' notices and citations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kellogg asked and obtained leave to introduce a bill entitled "An act to repeal chapter 820 of the Laws of 1873, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the salary of the supervisors of Albany county,' passed May 3, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the Troy water works,' passed March 9, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled An act to prevent the adulteration of milk, and prevent the traffic in impure and unwholesome milk,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Dow offered the following :

Resolved, That, after this week, the daily sessions of the Senate commence at ten o'clock, A. M.

Mr. Jacobs moved to amend said resolution by striking out the words "ten o'clock," and inserting in lieu thereof the words "half-past ten o'clock."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Jacobs moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	McGowan	Selkreg
Connelly	Gross	Moore	Wellman
Dayton	Johnson	Robertson	Woodin
Dickinson	Lord		

14

FOR THE NEGATIVE.

Booth	Jacobs	Parmenter	Wood
Fox	King	Ray	

7

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act providing for additional notaries public."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Johnson moved that the Assembly bill entitled "An act in relation to county treasurers," be made a special order for this morning at a quarter before twelve o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Jacobs moved that the message of the Governor relative to the canals be made a special order for this evening, and that a session of the senate be held for that purpose at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Johnson moved that the Assembly bill entitled "An act in relation to county treasurers," be considered in first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Booth offered the following :

Resolved (if the Assembly concur), That 1,500 copies each of the Twenty-seventh and Twenty-eighth Annual Reports of the Regents of the University on the State Museum of Natural History be printed for the use of the Regents of the University, and 300 copies of each for the use of the director of the State Museum.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Wood moved that the Assembly bill entitled "An act to provide for the support of government," be considered in first committee of the whole immediately after disposing of the bill relative to county treasurers.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Woodin called for the consideration of the concurrent resolution in the words following :

Resolved (if the Senate concur), That there be appointed a joint committee of three in the Senate and five in the House (to be appointed by the Speaker) to investigate and examine into the question of fraud or collusion between the State officers and contractors in reference to the letting or prosecution of any contracts for work upon the canals, now in force or finished, and that the said committee be empowered to employ counsel and a stenographer, and also have power to send for persons and papers, and that said committee be at liberty to report partially at any time, but shall be required to report in full within thirty days.

Mr. Woodin moved to amend said resolution by striking out the words "five in the House," and inserting in lieu thereof the words "three in the House."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Middleton	Tobey
Cole	Kellogg	Moore	Wagner
Connelly	King	Parmenter	Wellman
Dickinson	Laning	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Fox	McGowan	Thompson	

23

FOR THE NEGATIVE.

Bradley	Gross	Lord	Ray
Dayton	Johnson		

6

Mr. Wood moved that the resolution be further amended so that the committee on the part of the Senate be appointed by the President thereof.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Laning moved to amend the resolution as follows:

Add, after the word "finished," the words "and the whole subject connected with the awarding or performance thereof."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson moved to amend the amendment of Mr. Laning, by adding thereto the words "and all awards made by Canal Appraisers."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Bradley moved that the consideration of the special order, being the majority and minority reports of the committee on privileges and elections in the matter of the petition of William Youmans, Jr., claiming the seat of Hon. James G. Thompson, senator from the Twenty-third Senatorial district, be postponed until to-morrow, and be made a special order immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, the committee on the judiciary discharged from the further consideration of the Assembly bill entitled "An act to extend the time for the collection of taxes in the city of Elmira," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Middleton	Selkreg
Cole	Kellogg	Moore	Thompson
Connelly	King	Parmenter	Wagner
Dow	Laning	Ray	Wood
Fox	Lord	Robertson	Woodin
Gross	Lowery		

22

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the concurrent resolution providing for the appointment of a commission of four persons by the Governor to investigate the matters referred to in the message of the Governor relative to the canals, with a message that they had concurred in the passage of the same.

Mr. Gross moved that the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," be considered in the first committee of the whole not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to provide for the support of government."

"An act to amend an act entitled 'An act in relation to county treasurers.'"

Assembly, "An act in relation to county treasurers."

After some time spent therein, the President resumed the chair, and Mr. Cole, from said committee, reported progress on said named bills, and asked and obtained leave to sit again.

Mr. Wood moved to reconsider the vote granting leave to sit again, so far as relates to the last named bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood moved that the question of granting leave to the committee to sit again upon the last named bill be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Jacobs, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The President having announced the special order, being the message of the Governor relative to the canals,

Mr. Robertson moved that the consideration of the same be postponed for ten minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows :

"An act to provide for the election of police justices in villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act creating the office of Richmond county fire marshal and prescribing his powers and duties," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 619 of the Laws of 1873, entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same, over the Kill von Kull at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points, over Arthur kill or Staten Island sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the protection of fish in Hoffman pond, in Claverack, Columbia county; also Round Lake, Saratoga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act further to amend section 28 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and correct the harbor commissioners' lines,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to provide for the liquidation and payment of claims against the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the town of Kinderhook to take a legacy under the will of Edward G. Miner, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to permit the New Jersey and New York Railway Company to continue their road from Haverstraw into Orange and Ulster counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the better protection of human life at public watering or bathing places," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and also to amend chapter 385 of the Laws of 1855, entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Jamaica, Queens county,' passed March 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 80 of the Laws of 1870, entitled "An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the 'Military Code,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the election of county judge to fill vacancy occasioned by disability of age," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act relating to appeals by incorporated cities," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate to the town of Naples, Ontario county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to enable married women to release and to confirm releases of dower and inchoate rights of dower in certain cases," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in the county of Richmond," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the powers and jurisdiction of surrogates' courts," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title 15 of chapter 8 of part 3 of the Revised Statutes," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Wagner, from the committee on the affairs of cities, to which was recommitted the Assembly bill entitled "An act to amend an act enti-

tled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Gross offered the following:

Resolved, That the committee on the affairs of cities be discharged from the further consideration of the act entitled "An act to provide for the election of justices of the district courts of the city of New York," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act in relation to mortgages made by manufacturing companies," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 8, engrossed bill, insert, after the word "estate," the words "at or before the time of the giving of such mortgage."

Line 21, after the word "and," insert the words "in such case."

Line 22, after the word "said," insert the word "mortgage."

Strike out all of said line, after the word "the," and also lines 23, 24, 25, 26, 27, and 28, down to the word "provided," and insert the words "like validity and power, and as of the time of filing of such consent and affidavit, as if the same had been given at that time, and had been accompanied or preceded by the filing of such consent."

Line 30, after the word "action," insert the words "or legal proceeding."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Connelly	Jacobs	Lowery	Thompson
Dayton	Johnson	Parmenter	Wagner
Dickinson	Kellogg	Robertson	Wellman
Dow	King	Selkreg	Woodin
Gross	Lord		

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act providing for the election of bay constables in the towns of Brookhaven, Islip, Babylon, and Huntington, in the county of Suffolk, and to define their duties; also to repeal section 8 of chapter 234 of the Laws of 1870, entitled 'An act for the preservation of shell-fish in the waters of the South bay, Suffolk county,'" reported in favor of the passage of the same, with amendments.

On motion of Mr. King, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Connelly	Jacobs	Lord	Selkreg
Dayton	Johnson	Lowery	Thompson
Dickinson	Kellogg	McGowan	Wagner
Dow	King	Parmenter	Wellman
Fox	Ledwith	Robertson	Woodin

20

FOR THE NEGATIVE.

Gross

1

When the name of Mr. Johnson was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the negative.

Mr. Johnson subsequently voted in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the message of the Governor relative to the canals of the State.

After some time spent therein the President resumed the chair, and Mr. Dayton, from said committee, reported progress on said message, and asked leave to sit again.

Mr. Woodin moved that the committee of the whole be discharged from the further consideration of said message and that the same be referred to the committee on canals, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act empowering the commissioners appointed to investigate the affairs of the canals of the State, in pursuance of a joint resolution of the Senate and Assembly of 1875, to compel the attendance of witnesses, and fixing the compensation of such commissioners," which was read the first time and by unanimous consent was also read the second time.

Mr. Jacobs moved that the Senate resolve itself into a committee of the whole upon said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then in committee of the whole proceeded to the consideration of said bill, as follows:

"An act empowering the commissioners appointed to investigate the affairs of the canals of the State, in pursuance of a joint resolution of the Senate and Assembly of 1875, to compel the attendance of witnesses, and fixing the compensation of such commissioners."

After some time spent therein, the President resumed the chair, and Mr. Thompson, from said committee, reported in favor of the passage of said named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Jacobs, and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Thompson
Bradley	Jacobs	Lowery	Tobey
Connelly	Johnson	McGowan	Wagner
Dickinson	King	Middleton	Wellman
Dow	Laning	Robertson	Wood
Fox	Ledwith	Selkreg	Woodin 24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize William Hilleker, to establish and maintain a ferry across the Cayuga lake at Cayuga Bridge,' passed April 20, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Lord asked and obtained leave to introduce a bill entitled "An act relative to the county treasurer of Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Woodin, the Senate adjourned.

THURSDAY, APRIL 1, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. King presented a petition of the board of trustees of the village of Port Richmond relative to amendments to village charter, which was read and referred to the committee on the affairs of villages.

Mr. Robertson moved to postpone the special order, being the majority and minority reports of the committee on privileges and elections in the matter of the petition of Wm. Youmans, Jr., claiming the seat of Hon. James G. Thompson, senator from the Twenty-third district, until reaching the order of business of "Special orders."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or territories of the United States,' passed March 10, 1870," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their offices

therein,' passed June 18, 1878," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize religious societies to take and hold real estate by will or devise," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to amend an act entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplementary thereto, passed March 29, 1875," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for collection of taxes in the county of Livingston," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Lowery, from the committee on banks, to which was referred the Assembly bill entitled "An act to prevent individuals and corporations not banking corporations from doing business under names indicating that they are incorporated banks or banking institutions," reported that they have had the same under consideration, made some amendments thereto, and directed their chairman to report the same for the consideration of the Senate.

Mr. Lowery, from the committee on banks, to which was referred the Assembly bill entitled "An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act empowering the commissioners appointed to investigate the affairs of the canals of the State, in pursuance of a joint resolution of the Senate and Assembly of 1875, to compel the attendance of witnesses and fixing the compensation of such commission."

[Re-engrossed], "An act in relation to mortgages made by manufacturing companies."

The committee of conference upon the Assembly bill entitled "An act to amend section 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed, by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of 'investigating committees,' and providing for the payment of the expenses thereof,'" respectfully report that they have met and duly considered the same, and have agreed to recommend that the Senate recede from the following amendments to the bill proposed by the Senate, viz., reference being in all cases made to the engrossed bill:

Line 1, strike out the words "two and."

Line 12, strike out the word "are," and insert the word "is."

Change section "two," to section "three."

And your committee further report that they have agreed to recommend that the Senate recede from its amendment striking out the paragraph commencing on line 13 and concluding in line 35, both inclusive,

and recommend that the same be restored to the bill amended so as to read as follows :

" § 2. The Assembly may elect or appoint a clerk, a stenographer, a sergeant-at-arms and an assistant; a postmaster and an assistant, a superintendent of documents, a doorkeeper and ten assistants, one person who shall perform the duties of janitor and keeper of the Assembly chamber and its ante-rooms, and an assistant, a mail carrier, who shall carry the mails for the Assembly, not more than sixteen persons who shall serve as clerks of committees, not more than six general messengers, not more than seventeen messengers to committees, one of whom shall serve as messenger to the committee on engrossed bills, and not more than twenty pages. The Speaker may appoint a clerk and messenger, and the Clerk of the Assembly may appoint an assistant clerk, a journal clerk, and not more than nine deputies, one of whom shall be clerk to the committee on engrossed bills, a librarian and an assistant, and not more than five messengers."

And your committee further report that they have agreed to recommend that the Assembly concur in all the Senate amendments to the third section of the bill, so amended that the section shall read as follows :

"§ 3. The following compensation shall be paid for the annual session of the Legislature, commencing with the current session : To the clerks of each house, three thousand five hundred dollars; to the assistant clerks and journal clerks, each two thousand dollars; to the deputy clerks, each twelve hundred dollars, except to the clerk assigned to the committee on engrossed bills of the Senate, who shall be entitled to nine hundred dollars, to the clerk of the President of the Senate six dollars per day, to the Speaker's clerk seven dollars per day; to the sergeant-at-arms, the assistant sergeant-at-arms, the librarians, the assistant librarians, the postmaster of the Assembly, the assistant postmasters of the Senate and Assembly, and the doorkeepers, to each of them, six dollars per day; to the assistant doorkeepers, the keepers and janitors, the assistant keepers and janitors, the superintendents of documents of the Senate and Assembly, each five dollars per day; to the stenographers, fifteen hundred dollars each. The duties of said stenographers shall be to be present at every session of the body for which they are respectively appointed, and to take stenographic notes of the debates in such respective bodies and in the committee of the whole thereof, and to furnish a copy of the same written out in long hand to any member of the body for which he is appointed stenographer as aforesaid. To the clerks of the committees of ways and means and judiciary of the Assembly, and of finance and judiciary of the Senate, seven dollars per day each; and to the clerks of the other committees of each house, each five dollars per day, and each of the officers in this section above named, shall receive the same mileage as is now allowed by law to the members of the Legislature; to the mail carrier of each house to be appointed by the presiding officer thereof, two dollars per day; to the bank messengers of the clerks of the Senate and Assembly, each five dollars per day; to the other messengers each, three dollars per day; to the pages, each two dollars per day. And the employees of the Senate and Assembly, whether appointed or elected, shall each be paid the same per diem compensation respectively, for each day of any extra session of the Legislature which may be held as their respective compensation or per diem allowance as established by this section would give per day for every day of the regular session of the Legislature of the same year. And the officers and

employees of the Senate who may be designated to attend upon the Senate when sitting as a court for the trial of impeachments, or upon the trial of judicial officers on the recommendation of the Governor, shall be paid the same per diem allowed as for attendance at an extra session of the Legislature, as herein provided. And there shall be paid annually to the clerk of the Assembly, for revising, mailing and sending to the members of the Legislature previous to the organization thereof, the clerk's manual, the sum of two hundred and fifty dollars. And there shall be paid annually to the clerk of the Senate five hundred dollars, and to the clerk of the Assembly seven hundred and fifty dollars, for indexing the journals, bills and documents of the Senate and Assembly; and hereafter the indices to the journals, bills and documents of the two houses of the Legislature shall be made by the clerks of the respective houses, instead of by the Secretary of State, as heretofore provided by law. And there shall be paid annually to the clerk of the Senate five hundred dollars, and to the clerk of the Assembly seven hundred and fifty dollars, or so much thereof as shall be necessary, for extra clerical services and engrossing. And no extra allowance shall be made to the officers and employees above named, on any pretense whatever. The mileage, compensation and per diem allowance in this section provided for, shall be paid on the warrant of the Comptroller upon the certificate of the president of the Senate, for the officers and employees of the Senate; and on the certificate of the speaker for the officers and employees of the Assembly. All appointments made under this act shall be entered on the journal of the house wherein they are so made; such entry shall specify the date of the appointment, and the length of time the same is to be continued."

And your committee further report that they have agreed to recommend that both Houses concur in the Senate amendment, added as section two, so amended as to read as follows, and added to the end of section three as a part thereof:

"No fee, per diem compensation or mileage, shall be allowed to any officer of either branch of the Legislature for or on account of his attendance, upon the opening of the next succeeding session of said body, except to the clerk, journal clerk, Speaker's clerk, sergeant-at arms, postmaster and librarian and doorkeeper of the Senate and Assembly, and an assistant doorkeeper, and four pages in the Senate, and three assistant doorkeepers, two messengers and six pages in the Assembly. The presiding officers of the respective Houses shall designate which assistant doorkeeper and pages of the Senate, and which assistant doorkeepers, pages, and messengers of the Assembly may attend upon the organization of the next Legislature, and no other officers of either branch of the Legislature shall be allowed to attend upon such organization. Such designation shall be so made before the close of the session, and be entered upon the journals of the respective Houses. Said officers named in this section, who shall serve at the opening of the next session of the Legislature as aforesaid, shall receive the same rate of compensation during each day's service, and mileage, as they were entitled by law to receive for like services at the preceding session of the Legislature."

D. P. WOOD,
W. H. ROBERTSON,
Senate Committee.

T. G. ALVORD,
WILLARD JOHNSON,
F. W. VOSBURGH,
S. H. HAMMOND,
JAMES W. HUSTED,
Assembly Committee.

Mr. Laning moved to amend the report of the committee as follows :

In the section providing compensation for "deputy clerks," strike out the words "twelve hundred dollars" and insert in lieu thereof the words "fifteen hundred dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee of conference, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Cole	Jacobs	McGowan	Thompson
Connelly	Kellogg	Middleton	Wagner
Dayton	King	Moore	Wood
Dickinson	Laning	Ray	Woodin
Dow	Ledwith	Robertson	

23

FOR THE NEGATIVE.

Johnson

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference, with an amendment.

Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act to provide for the consolidation of school districts," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act relative to the incorporation of musical colleges, schools and academies," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act to authorize cities, towns and villages to establish and maintain free public libraries and reading rooms," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act further amending an act entitled "An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo," passed April 21, 1871," with a message that they had passed the same, with the following amendment :

Section 1, line 1, after the word "sixteen," insert "chapter 680 of the Laws of 1871."

Strike out all after the word "Buffalo," in line 5, and the whole of line 6.

Amend title so as to read as follows :

"An act further to amend chapter 680 of the Laws of 1871, entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo.'"

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Sellkreg
Bradley	Gross	McGowan	Thompson
Cole	Kellogg	Middleton	Wagner
Connelly	Laning	Moore	Wellman
Dayton	Ledwith	Ray	Wood
Dickinson	Lord	Robertson	Woodin
Dow			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

By unanimous consent, Mr. Dickinson asked and obtained leave to introduce a bill entitled "An act to change the name of the village of Potsdam Junction, in the town of Potsdam, in the county of St. Lawrence, to Baldwin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Dickinson asked and obtained leave to introduce a bill entitled "An act to amend section 3 of article 1, title 4 of chapter 8, part 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Johnson asked and obtained leave to introduce a bill entitled "An act in relation to railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond, passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above mentioned acts,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend section 3 of title 4 of chapter 8 of part 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate then proceeded to the consideration of the special order, being the majority and minority reports of the committee on privileges and elections relative to the matter of William Youmans, Jr., claiming the seat of Hon. James G. Thompson, Senator from the Twenty-third Senatorial district.

Mr. Cole moved that the Senate agree to the majority report of said committee and the following resolution:

Resolved, That James G. Thompson is lawfully elected Senator from the Twenty-third district, and is entitled to retain his seat as such, and that the prayer of the petitioner, William Youmans, Jr., claiming the seat be denied.

Mr. Bradley moved to amend, by substituting the minority report and the following resolution:

Whereas, It appears that William Youmans, Jr., was duly elected Senator in and for the Twenty-third Senatorial district, at the election of November 4, 1873; therefore,

Resolved, That he is the Senator elect of and for that district, and is entitled to the seat, therefor in the Senate, now occupied by James G. Thompson.

After debate,

The President put the question whether the Senate would agree to said motion of Mr. Bradley, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Moore
Dayton	Jacobs	Ledwith	Ray
Fox	Johnson	Lord	11

FOR THE NEGATIVE.

Booth	Dow	Middleton	Wagner
Cole	King	Robertson	Wellman
Connelly	Lowery	Selkreg	Wood
Dickinson	McGowan	Tobey	Woodin 16

The President then put the question whether the Senate would agree to said motion of Mr. Cole, and it was decided in the affirmative.

The Senate, on motion of Mr. Wood, then went into executive session ; and, after some time spent therein, the doors were opened, and legislative business resumed.

Mr. Jacobs moved to take from the table the motion to discharge the committee of the whole from the further consideration of the message of the Governor relative to the canals, and that the same be referred to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs moved, as an amendment to said resolution, the following :

Resolved, That the committee of the whole be discharged from the further consideration of the message of the Governor relative to the canals, and that the portion of the same calling attention to article 10, section 7, of the Constitution be referred to the judiciary committee, with instruction to report, without unnecessary delay, a bill to carry into effect the provisions of the said section of the Constitution.

Resolved, That the remainder of the message be referred to the canal committee, with instructions to report, without unnecessary delay, a bill or bills carrying out the recommendations therein contained.

Mr. Jacobs moved that said resolutions be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King offered the following :

Whereas, In the year 1833 the States of New York and New Jersey appointed a joint commission to define the boundary line between said States and their jurisdiction respectively over the waters of New York harbor ; and

Whereas, Encroachments are being constantly made upon said harbor, on both sides of the Hudson river, by citizens of both States ; therefore,

Resolved (if the Assembly concur), That the acting commissioners appointed by the Governor to discharge the duty imposed by section 7 of chapter 613 of the Laws of 1865 be authorized to meet the like number of commissioners to be appointed by the Governor of New Jersey,

and with them, as soon as may be, to ascertain where the exterior lines for said harbor lying between said States are located, and whether any and what encroachments have been made upon such harbor; such commissioners to be authorized to employ such persons as may be necessary to assist them in the performance of the aforesaid service, and to be required to report their proceedings and the expenses (not exceeding the sum of \$5,000) thereof to the Legislature of the State at its next annual meeting, and in case of death or resignation of said commissioners on the part of this State or either of them, the Governor of this State is hereby empowered to fill the vacancy or vacancies so occurring. But the commissioners appointed under this resolution shall receive no pay and incur no expense until commissioners for a similar purpose are appointed on the part of the State of New Jersey.

Resolved (if the Assembly concur), That the Governor of this State be requested to transmit a duly certified copy of the foregoing resolution to the Governor of the State of New Jersey, to be laid before the Legislature of that State.

Mr. King moved that said resolution be laid upon the table and printed, together with the accompanying communication from Gen. John Newton upon the same subject.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(*See Doc. No. 17.*)

The Assembly returned the bill entitled "An act to appoint a reporter of the decisions of the supreme court," with a message that they had concurred in the passage of the same, with the following amendment:

Section 2, line 4, engrossed bill, strike out the words "last Wednesday of May," and insert the words "first Tuesday of June."

Mr. Tobey moved that the Senate do non-concur in said amendments, that a committee of conference be appointed thereon, and that the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Tobey, Johnson and Laning.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in said amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

On motion of Mr. Johnson, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The Assembly returned the following entitled bill, with a message that they had non-concurred in the passage of the same:

"An act to authorize the board of supervisors of the county of Broome to provide for the erection of bridges over the Susquehanna and Chenango rivers, between the towns of Kirkwood and Conklin, and Chenango and Fenton, in said county."

The Assembly returned the concurrent resolution for the appointment of a joint committee to investigate and examine into the question of fraud between the State officers and contractors in reference to the letting of canal contracts, with a message that they had concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said resolution to the Assembly.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act empowering the commissioners appointed to investigate the affairs of the canals of the State, in pursuance of a joint resolution of the Senate and Assembly of 1875, to compel the attendance of witnesses, and fixing the compensation of such commission.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the bill entitled "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States with the consent thereof,'" with a message that they had consented to a committee of conference, and have appointed as such committee on their part Messrs. Waehner, T. C. Campbell, Hammond, Petty and Vedder.

The Assembly sent for concurrence the bill entitled as follows :

"An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Woodin moved that the Assembly bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out of public roads and the alteration thereof,'" be recommitted to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin moved that the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," be recommitted to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend an act entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof, and also to repeal the act to establish a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany."

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

"An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon."

After some time spent therein the President resumed the chair, and Mr. Middleton, from said committee, reported in favor of the passage of the first and second named bills, with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Middleton, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act to regulate the supply of stationery for the officers and reporters of the Legislature," reported that they have had the same under consideration, and have directed their chairman to report the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act to make town 1, range 8, of the Holland Land Company's Survey, located in the town of South Valley, Cattaraugus county, a separate road district, and provide for a commissioner of highways for said district, and also to appropriate money to repair a bridge over the Allegany river on the Indian reservation in said town," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act giving the consent of the State of New York to the purchase of certain lands now occupied by the United States Military Academy, or appertaining to the lands so occupied, and the ceding jurisdiction of this State over said lands to the United States."

Assembly, "An act providing for the forfeiture of property in certain cases."

"An act to authorize the New York and Hudson Steamboat Company to mortgage its property,"

After some time spent therein the President resumed the chair, and Mr. Kellogg, from said committee, reported in favor of the passage of the first named bill, with amendments, the title amended so as to read "An act in relation to the purchase by the United States of certain lands at West Point, and the ceding jurisdiction of this State over said lands to the United States," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Kellogg, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Kellogg, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dow, from the committee on manufactures, to which was referred the bill entitled "An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes,' passed April 20, 1871," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Jacobs moved to take from the table the resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of the message of the Governor relative to the canals, and that the portion of the message calling attention to article 10, section 7, of the Constitution, be referred to the judiciary committee, with instructions to report, without unnecessary delay, a bill to carry into effect the provisions of the said section of the Constitution.

Resolved, That the remainder of the message be referred to the canal committee, with instructions to report without delay a bill or bills carrying out the recommendation therein contained.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A division of the question having been called for,

The President put the question whether the Senate would agree to said first resolution, and it was decided in the affirmative.

Mr. Woodin moved to amend the second resolution, so as to read as follows :

Resolved, That the remainder of the message be referred to the canal committee, with instructions to inquire, without delay, what legislation is necessary to remedy the evils pointed out, and if any is necessary, that said committee report by one or more bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said second resolution, as amended, and it was decided in the affirmative.

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, the Buffalo State Asylum for the Insane, and the State Reformatory at Elmira," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, by direction of said committee reported the following bill: "An act in relation to the care and education of deaf mutes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Wood and by unanimous consent, the Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bill entitled as follows :

"An act to provide for the support of government."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of said named bill, with amendments, which report was agreed to, and the same ordered to a third reading.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the bill entitled "An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to prohibit the throwing of cinders, ashes, refuse or garbage into the waters of Long Island sound, and into the bays and harbors opening into the same."

"An act to further amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships or ships or vessels using caloric engines,' passed April 12, 1852."

"An act to amend an act entitled 'An act to regulate proceedings against corporations by injunctions and otherwise,' passed April 7, 1870."

After some time spent therein the President resumed the chair, and Mr. Wellman, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize and direct the mayor, aldermen and commonalty of the city of New York, to pay to the county of Westchester claims and demands due said county of Westchester, from said city and county of New York, growing out of the annexation to said city and county of New York, of the late towns of Morrisania, West Farms and Kingsbridge."

"An act to amend an act entitled 'An act to widen and improve a portion of Washington avenue, in the city of Brooklyn, and extend the same into the town of Flatbush,' passed April 23, 1870."

Assembly, "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

After some time spent therein the President resumed the chair, and Mr. Ledwith, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ledwith, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ledwith, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Fox moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Gross moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate adjourned.

FRIDAY, APRIL 2, 1875.

The Senate met pursuant to adjournment.

The Chaplain not present.

The journal of yesterday was read and approved.

Mr. Gross presented a remonstrance of citizens of New York against permitting life and other insurance companies to loan their funds out of this State; which was read and referred to the committee on the judiciary.

Mr. Ledwith presented a resolution of the Chamber of Commerce of the State of New York in regard to the reduction of canal tolls; which was read and referred to the committee on canals.

Mr. Cole presented two remonstrances of citizens of Leroy against the bill authorizing the exchange of first-mortgage bonds of the Rochester and State Line railway; which were read and referred to the committee on railroads.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the New York and Hudson Steamboat Company to mortgage its property."

"An act to extend the operation and effect of the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

"An act to further amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships or ships or vessels using caloric engines,' passed April 12, 1852."

"An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon."

"An act to amend an act entitled 'An act to widen and improve a portion of Washington avenue, in the city of Brooklyn, and extend the same into the town of Flatbush,' passed April 23, 1870."

"An act to prohibit the throwing of cinders, ashes, refuse or garbage into the waters of Long Island sound, and into the bays and harbors opening into the same."

"An act to amend an act entitled 'An act to regulate proceedings against corporations by injunctions and otherwise,' passed April 7, 1870."

"An act in relation to the purchase by the United States of certain lands at West Point and the ceding jurisdiction of this State over said lands to the United States."

"An act to amend an act entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany.'"

"An act to authorize and direct the mayor, aldermen and commonalty of the city of New York to pay to the county of Westchester claims and demands due said county of Westchester from said city and county of New York, growing out of the annexation to said city and county of New York of the late towns of Morrisania, West Farms and Kingsbridge."

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize William Beard and others to erect, construct, build and maintain sea walls or breakwater, piers, docks, wharves, bulkheads, piers and warehouses, and a basin for commercial use in part of their lands in the Twelfth ward of the city of Brooklyn,' passed April 24, 1862, and also to amend an act bearing the same title, passed April 30, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The bill entitled "An act to amend an act entitled 'An act to regulate proceedings against corporations by injunctions and otherwise,' passed April 7, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Cole	Fox	Ledwith	Selkreg	
Connelly	Gross	Lowery	Thompson	
Dayton	Jacobs	Middleton	Wagner	
Dickinson	Kellogg	Parmenter	Wood	
Dow	King	Robertson	Woodin	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the purchase by the United States of certain lands at West Point and the ceding jurisdiction of this State over said lands to the United States," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Thompson	
Cole	Gross	Lowery	Wagner	
Connelly	Jacobs	Middleton	Wellman	
Dayton	Kellogg	Parmenter	Wood	
Dickinson	King	Robertson	Woodin	
Dow	Ledwith	Selkreg		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg	
Bradley	Jacobs	McGowan	Wagner	
Cole	Kellogg	Middleton	Wellman	
Connelly	King	Parmenter	Wood	
Dayton	Ledwith	Ray	Woodin	
Dow	Lord	Robertson		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Ray
Bradley	Jacobs	Lowery	Robertson
Cole	Kellogg	McGowan	Wagner
Connelly	King	Middleton	Wellman
Dayton	Ledwith	Parmenter	Wood
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to further amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships or ships or vessels using calorific engines,' passed April 12, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Jacobs	McGowan	Wagner
Dayton	Kellogg	Middleton	Wellman
Dow	King	Ray	Wood

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	King	Robertson
Bradley	Fox	Ledwith	Selkreg
Cole	Gross	Middleton	Wagner
Connelly	Jacobs	Parmenter	Wellman
Dayton	Kellogg	Ray	Wood

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to prohibit the throwing of cinders, ashes, refuse or garbage into the waters of Long Island sound, and into the bays and harbors opening into the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Ray
Cole	Jacobs	Lowery	Robertson
Connelly	Kellogg	McGowan	Selkreg
Dayton	King	Middleton	Wellman
Dickinson	Ledwith	Parmenter	Wood
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the New York and Hudson Steamboat Company to mortgage its property," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	McGowan	Selkreg
Bradley	Gross	Middleton	Wagner
Cole	Jacobs	Parmenter	Wellman
Connelly	King	Ray	Wood
Dayton	Ledwith	Robertson	Woodin
Dickinson	Lowery		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to widen and improve a portion of Washington avenue, in the city of Brooklyn, and extend the same into the town of Flatbush,' passed April 23, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	King	Ray
Bradley	Dow	Lowery	Robertson
Cole	Fox	McGowan	Wagner
Connelly	Gross	Middleton	Wellman
Dayton	Jacobs	Parmenter	Wood

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act providing for the forfeiture of property in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Kellogg	Middleton	
Bradley	Dow	King	Parmenter	
Cole	Fox	Ledwith	Robertson	
Connelly	Gross	Lowery	Wood	
Dayton	Jacobs	McGowan	Woodin	20

FOR THE NEGATIVE.

Johnson	Ray	Selkreg	Wagner	
Lord				5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 127 of the Laws of 1859, entitled "An act to increase the number of coroners in Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	King	Robertson	
Bradley	Fox	Ledwith	Selkreg	
Cole	Gross	McGowan	Wagner	
Connelly	Jacobs	Middleton	Wood	
Dayton	Kellogg	Ray	Woodin	
Dickinson				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to repeal an act entitled 'An act to increase the rates of ferriage between the city of Hudson, in the county of Columbia, and the village of Athens, in the county of Greene,' passed May 15, 1873."

"An act further amending chapter 680 of the Laws of 1871, entitled "An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo."

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to amend chapter 435 of the Laws of 1873, amendatory to chapter 438 of the Laws of 1872, entitled 'An act to amend chapter 721, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Lord offered the following:

Resolved, That the Canal Commissioners are hereby requested to ascertain and to report to this body the prices charged in the city of New York upon the following transports of grain at that port: Price charged for elevating grain from canal boats; prices charged to the seller and to the buyer of grain, and to the vessel receiving the grain; also, whether these prices are exacted by the rules and regulations of any association, corporation or combination in that city; also what charges are collected from canal boats for the use of slips and wharves or port charges; also, that the same information be ascertained and reported by the canal committee as relates to the city of Buffalo, and that the committee have power to send for persons and papers.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Kellogg asked and obtained leave to introduce a bill entitled "An act to authorize the supervisors of the several towns in the county of Oswego to act as members of the boards of assessors of their respective towns at their annual meetings to revise assessments and for hearing appeals from parties aggrieved," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act directing inquiries to be made and reported to the next Legislature upon the subject of timber supply, and the most effectual means for the maintenance thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Wood offered the following:

Resolved (if the Assembly concur), That the Regents of the University shall have the authority to distribute to the normal schools of the State such duplicate specimens of minerals and fossils from the State-Museum of Natural History as may not be required for the institutions already designated by the Legislature to receive such collections.

On motion of Mr. Wood, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Bradley moved that the bill entitled "An act to amend an act entitled 'An act to authorize the consolidation of certain railroad companies,' passed May 20, 1869," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Johnson moved that the Assembly bill entitled "An act in relation to railroad corporations," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to conform all charters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks for the supervision and the administration of their affairs."

Assembly, "An act in relation to railroad corporations."

"An act to amend an act entitled 'An act to authorize the consolidation of certain railroad companies,' passed May 20, 1869."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the first named bill, with amendments.

Mr. Gross moved to amend said report as follows :

Add, at the end of subdivision 5, of section 8, the following words: "But this subdivision shall not be construed to prohibit loans on the security of mortgage upon vacant lots in the city of New York; provided that such lots shall front upon streets, roads, or avenues which have been regulated and graded."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Dayton	Fox	Ledwith	Robertson	
Dickinson	Gross	Ray		7

FOR THE NEGATIVE.

Bradley	Johnson	Laning	Selkreg	
Cole	Kellogg	Lord	Wood	
Dow	King	Lowery	Woodin	
Jacobs				18

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Wood moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dow, from said committee, reported progress on the second and last named bills, and asked and obtained leave to sit again.

Mr. Wellman moved that the Assembly bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the Military Code,'" be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs moved that the Senate do now adjourn until Monday evening at half-past seven o'clock.

Mr. Wood moved as an amendment that when the Senate adjourn, it adjourn to meet to-morrow morning at eleven o'clock.

Pending which,

Mr. Woodin moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Dickinson	Lowery	Selkreg	Wood
Dow	Robertson	Thompson	Woodin
King			

9

FOR THE NEGATIVE.

Bradley	Gross	Kellogg	Lord
Connelly	Jacobs	Laning	Ray
Dayton	Johnson	Ledwith	Wellman
Fox			

13

Mr. Jacobs moved that the Senate do now adjourn until Monday evening at half-past seven o'clock.

Mr. Wood moved as an amendment that the Senate adjourn until to-morrow morning at eleven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dow	Robertson	Wellman
Cole	King	Selkreg	Wood
Dickinson	Lowery	Thompson	Woodin

12

FOR THE NEGATIVE.

Connelly	Gross	Kellogg	Lord
Dayton	Jacobs	Laning	Ray
Fox	Johnson	Ledwith	

11

And the Senate adjourned until to-morrow morning at eleven o'clock.

SATURDAY, APRIL 3, 1875.

The Senate met pursuant to adjournment.

The Chaplain not present.

The journal of yesterday was read and approved.

Mr. Ledwith presented a petition of Elizabeth Ryall relative to certain land of which James Gillen died seized; which was read and referred to the committee on the judiciary.

The President presented the Report of the Auditor of the Canal Department, in response to a resolution of the Senate, relative to the amount of securities deposited by contractors; which was read and referred to the committee on canals, and ordered printed.

(See Doc. No. 76.)

Mr. Bradley presented a petition of citizens of Hornellsville relative to the act incorporating Hornellsville Masonic Hall Association; which was read and referred to the committee on charitable and religious societies.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the New York Bowery Insurance Company to elect one or more vice-presidents," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act further to amend chapter 305 of the Laws of 1844, entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor, in the several cities of this State (except in the city of New York) and in the villages of Syracuse, Williamsburgh, Geneva, Canandaigua, Oswego and Auburn,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the construction of an armory and rifle range at Sing Sing in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That 1,000 extra copies of the Governor's Annual Message be printed in German for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following:

Resolved (if the Senate concur), that 1,500 copies of the Report of the Institution for the Improvement of Deaf Mutes be printed for the use of the institution.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following:

Resolved (if the Senate concur), That 1,500 extra copies of the Report of the Committee of Ways and Means of 1874, on assessments and taxation, be printed for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following:

Resolved (if the Senate concur), That 2,000 extra copies of the Fifty-sixth Annual Report of the New York Institution for the Deaf and Dumb be printed for the use of the officers of that institution.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following:

Resolved (if the Senate concur), That 1,000 extra copies of the Report of the Medical Society of the State of New York, in paper covers, be printed for the use of the Legislature, and 2,000 for the use of said society.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following:

Resolved (if the Senate concur), That there be printed, in paper covers, for the use of the Homœopathic Medical Society of the State of New York, 1,500 copies of the transactions of said society for the year 1875, and 1,000 for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following:

Resolved (if the Senate concur), That 1,000 extra copies of the Report of the Eclectic Medical Society of the State of New York, in paper

covers, be printed for the use of the Legislature, and 1,500 copies for the use of said society.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly returned the bill entitled "An act to appoint a reporter of the decisions of the supreme court," with a message that they assent to a committee of conference thereon, and had appointed as such committee on their part, Messrs Vedder, Hammond, Husted, Shiel and Dessar.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 592 of the Laws of 1874, entitled 'An act to incorporate the Merchants' Loan Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relating to stock of the Delhi and Middletown Railroad Company owned by the town of Andes, Delaware county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act in relation to railroad corporations," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was recommended the bill entitled "An act in relation to the county courthouse and jail in Queens county," reported that they have had the same under consideration, and have directed their chairman to report said bill to the Senate for its consideration, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to release the title and interest of the people of the State of New York in and to certain real estate of which Henry Doyle, late of the city of Auburn, in the State of New York, died seized, to Bridget Doyle, his wife," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, and said bill was ordered engrossed for a third reading.

By unanimous consent, Mr. Thompson asked and obtained leave to introduce a bill entitled "An act to amend chapter 8, part 2, of the Revised Statutes, entitled 'of the domestic relations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kellogg moved that the Assembly bill entitled "An act in relation to railroad corporations," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Selkreg moved that the bill entitled "An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Ray moved that the bill entitled "An act relative to the incorporation of musical colleges, schools and academies," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act in relation to railroad corporations."

"An act to amend chapter 857 of the Laws of 1871, entitled 'An act to amend the act, passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871."

"An act relative to the incorporation of musical colleges, schools, and academies."

After some time spent therein the President resumed the chair, and Mr. Cole, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Cole, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cole, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Wellman, from the committee on the militia, to which was referred the Assembly bill entitled "An act to provide for the construction of an armory and rifle range at Sing Sing, in the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to incorporate the Hornellsville Fire Department," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wellman moved that the Senate hold an executive session at quarter before two o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to confirm the official acts of the trustees of the Delaware Literary Institute."

Assembly, "An act to legalize and confirm the official acts of Robert Payne as notary public."

"An act to amend an act entitled 'An act to authorize the consolidation of certain railroad companies,' passed May 20, 1869."

After some time spent therein, the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of

the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Selkreg, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof."

"An act for the preservation of fish in Chautauqua lake."

"An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,' passed April 13, 1871."

After some time spent therein the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Lowery, from the same committee, reported in favor of the passage of the two last named bills, with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Robertson moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to extend the time for the collection of taxes in the towns of Ticonderoga and Schoon, in the county of Essex," and that the same be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act further to amend chapter 275 of the Laws of 1872, entitled 'An act to authorize the trustees of the village of Flushing to issue bonds and raise money for the purchase of a steam fire-engine, and for the mapping and establishment of lines and grades for the streets and public places in said village.'"

"An act to confer additional powers on the common council of the city of Cohoes."

"An act to amend an act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851."

After some time spent therein the President resumed the chair, and Mr. Kellogg, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Kellogg, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Kellogg, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to repeal chapter 645 of the Laws of 1873, enti-

ted 'An act to alter the map or plan of the city of New York by extending Desbrosses street."

Assembly, "An act supplementary to chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water."

"An act to legalize the acts of Ensworth D. Babcock as notary public."

After some time spent therein the President resumed the chair, and Mr. Dayton, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Dayton, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 435 of the Laws of 1868, entitled "An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter."

Assembly, "An act to amend an act entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners," passed April 16, 1872.

"An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district and to establish free schools therein," and also an act amendatory thereof, known as chapter 867 of the Laws of 1867."

After some time spent therein the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Selkreg, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Selkreg, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The hour of quarter before two o'clock having arrived, the Senate went into executive session; and, after some time spent therein, the doors were opened and legislative business resumed.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Evangelical Lutheran Synod of the State of New York,' passed April 29, 1868."

"An act to provide for the election of county judge to fill vacancy occasioned by disability of age."

Assembly "An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868, entitled "An act to incorporate the village of Portchester."

After some time spent therein, the President resumed the chair, and Mr. King, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. King, from the same committee, reported in favor of the passage

of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Masonic Hall Association of the village of Hornellsville,' passed April 27, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Kellogg moved that the Senate do now adjourn until Monday evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate adjourned.

MONDAY, APRIL 5, 1875.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. James.

The journal of Saturday, April 3, was read and approved.

The President announced as the committee on the part of the Senate in the matter of the investigation of the affairs of the canals, pursuant to a concurrent resolution of the Senate and Assembly, Messrs. Robertson, Bradley and Cole.

Mr. Robertson asked to be excused from serving on said committee.

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

Mr. Bradley asked to be excused from serving on said committee.

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 857 of the Laws of 1871, entitled 'An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871."

"An act relative to the incorporation of musical colleges, schools and academies."

"An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter.'"

"An act to confer additional powers on the common council of the city of Cohoes."

"An act to legalize the acts of Ensworth D. Babcock as notary public."

"An act to amend an act entitled 'An act to authorize the consolidation of certain railroad companies,' passed May 20, 1869."

"An act to release the title and interest of the people of the State of New York in and to certain real estate of which Henry Doyle, late of the city of Auburn, in the State of New York, died seized, to Bridget Doyle, his wife."

"An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein,' and also an act amendatory thereof, known as chapter 867 of the Laws of 1867."

"An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City.'"

"An act to amend an act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851."

"An act to provide for the election of county judge to fill vacancy occasioned by disability of age."

"An act to amend an act entitled 'An act to incorporate the Evangelical Lutheran Synod of the State of New York,' passed April 29, 1868."

"An act for the preservation of fish in Chautauqua lake."

Mr. Booth, from the committee on public health, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled 'An act to prevent the adulteration of milk, and prevent the traffic in impure and unwholesome milk,' passed May 2, 1864," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was recommitted the bill entitled "An act to enlarge the board of education in Union Free School district No. 6, in the town of Northfield, in the county of Richmond, and to change the name of said district, and to authorize said board of education to sell and convey to the purchaser thereof the present school-house site, and also to purchase a new site for a school-house in said district, and to erect thereupon a new school-house, and to provide for the raising of money therefor," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The President presented the Report of the Committee of the Chamber of Commerce of the State of New York on the Canals of the State of New York and on Railway and Canal legislation; which was read and referred to the committee on canals, and ordered printed.

(See Doc. No. 41.)

Mr. King offered the following:

Resolved, That 500 copies of the Report of the Committee of the Chamber of Commerce of the State of New York on the Canals of the State be printed.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly bill entitled "An act further to amend chapter 275 of the Laws of 1872, entitled 'An act to authorize the trustees of the village of Flushing to issue bonds and raise money for the purchase of a steam fire-engine, and for the mapping and establishment of lines and grades for the streets and public places in said village,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Dayton	Kellogg	Middleton	Wagner
Dickinson	King	Parmenter	Wellman
Dow	Laning	Ray	Wood
Fox	Lord	Robertson	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to confirm the official acts of the trustees of the Delaware Literary Institute," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Bradley	Johnson	Lowery	Selkreg
Cole	Kellogg	Middleton	Wagner
Dayton	King	Parmenter	Wood
Dickinson	Laning	Ray	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to legalize and confirm the official acts of Robert Payne as notary public," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Fox	Lord	Robertson
Cole	Johnson	Lowery	Selkreg
Dayton	Kellogg	Middleton	Tobey
Dickinson	King	Parmenter	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to railroad corporations," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Parmenter
Bradley	Johnson	Lord	Robertson
Cole	Kellogg	Lowery	Selkreg
Dickinson	King	Middleton	Wood
Dow			

17

FOR THE NEGATIVE.

Gross

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to repeal chapter 845 of the Laws of 1873, entitled 'An act to alter the map or plan of the city of New York by extending Desbrosses street,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Ray	
Bradley	Gross	Lord	Robertson	
Cole	Johnson	Lowery	Selkreg	
Dickinson	Kellogg	Middleton	Wagner	
Dow	King	Parmenter	Wood	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to legalize the acts of Ensworth D. Babcock, as notary public," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray	
Bradley	Fox	Lord	Robertson	
Cole	Johnson	Lowery	Selkreg	
Dayton	Kellogg	Middleton	Wagner	
Dickinson	King	Parmenter	Wood	20

Mr. Middleton moved to reconsider the vote by which said bill was passed.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Ray	
Bradley	Gross	Lord	Robertson	
Cole	Johnson	Lowery	Selkreg	
Dayton	Kellogg	Middleton	Wagner	
Dickinson	King	Parmenter	Wood	
Dow				21

On motion of Mr. Middleton, and by unanimous consent, said bill was amended as follows :

Section 1, line 4, strike out the words "March 30," and insert the words "January 1."

Same section, lines 5 and 6, strike out the words "March 30," and insert the words "January 1."

Same section, line 7, strike out the word "four," and insert the word "five."

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Robertson
Bradley	Johnson	Lowery	Selkreg
Cole	Kellogg	Middleton	Wagner
Dickinson	King	Parmenter	Wood
Dow	Laning	Ray	19

FOR THE NEGATIVE.

Fox	1
-----	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the election of county judge to fill vacancy occasioned by disability of age," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Ray
Bradley	Gross	Lord	Robertson
Cole	Johnson	Lowery	Selkreg
Dayton	Kellogg	Middleton	Wagner
Dickinson	King	Parmenter	Wood
Dow			21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to confer additional powers on the common council of the city of Cohoes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Ray
Bradley	Gross	Lord	Robertson
Cole	Johnson	Lowery	Selkreg
Dickinson	Kellogg	Middleton	Wagner
Dow	King	Parmenter	Wood
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district and to establish free schools therein,' and also an act amendatory thereof, known as chapter 867 of the Laws of 1867," having been announced for a third reading,

On motion of Mr. King, and by unanimous consent, was amended as follows :

Section 4, line 14, engrossed bill, strike out the word "seven," and insert in lieu thereof the word "eight."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Ray
Bradley	Gross	Lowery	Robertson
Dayton	Johnson	Madden	Selkreg
Dickinson	King	Middleton	Wagner
Dow	Laning	Parmenter	Wood
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act, to authorize the consolidation of certain railroad companies,' passed May 20, 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Middleton
Cole	Johnson	Lord	Parmenter
Dow	Kellogg	Lowery	Selkreg
Fox			
			13

FOR THE NEGATIVE.

Booth	Dickinson	Madden	Wagner
Dayton	King	Ray	
			7

Mr. Bradley moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The bill entitled an "An act to amend an act entitled 'An act to incorporate the Evangelical Lutheran Synod of the State of New York,' passed April 29, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Gross	Lord	Robertson
Cole	Johnson	Lowery	Selkreg
Dayton	Kellogg	Middleton	Wagner
Dickinson	King	Parmenter	Wood
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Ray
Bradley	Johnson	Lowery	Robertson
Cole	Kellogg	Madden	Selkreg
Dayton	King	Middleton	Wagner
Dow	Laning	Parmenter	Wood
Fox			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to the incorporation of musical colleges, schools and academies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Ray
Bradley	Gross	Lowery	Robertson
Cole	Johnson	Madden	Selkreg
Dayton	Kellogg	Middleton	Wagner
Dickinson	King	Parmenter	Wood
Dow	Laning		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Ray
Bradley	Gross	Lord	Robertson
Cole	Johnson	Madden	Selkreg
Dayton	Kellogg	Middleton	Wagner
Dickinson	King	Parmenter	Wood
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend the act, passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing,

mining, mechanical or chemical purposes,' passed April 20, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Fox	Lord	Selkreg
Cole	Gross	Middleton	Wagner
Dayton	Kellogg	Parmenter	Wood
Dickinson	King		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the preservation of fish in Chautauqua lake," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Ray
Bradley	Gross	Lowery	Robertson
Cole	Kellogg	Madden	Selkreg
Dayton	King	Middleton	Wagner
Dickinson	Laning	Parmenter	Wood
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act supplementary to chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Ray
Bradley	Fox	Lowery	Robertson
Cole	Gross	Madden	Selkreg
Dayton	King	Middleton	Wagner
Dickinson	Laning	Parmenter	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners,' passed April 16, 1872," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Fox	Lowery	Robertson
Cole	Gross	Madden	Selkreg
Dayton	Kellogg	Middleton	Wagner
Dickinson	King	Parmenter	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Gross moved that the bill entitled "An act for the incorporation of societies or clubs for certain lawful purposes," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act for the incorporation of societies or clubs for certain lawful purposes."

"An act to amend chapter 344 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 13, 1860, and to define the term of office of the acting superintendent and auditing superintendent of the poor now in office under said act."

"An act to authorize the commissioners of the town of Richford, in the county of Tioga, appointed under and by virtue of chapter 483 of the Laws of 1866, to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act, and falling due in 1876 and 1877."

After some time spent therein the President resumed the chair, and Mr. Kellogg, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Kellogg, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Kellogg, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Laning moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to extend the time for the collection of taxes in the town of Plattsburgh," and that the same be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend part 3, chapter 9, title 1, article 2 of the Revised Statutes relating to the writ of habeas corpus."

"An act relating to the term of office of clerk of the commission of appeals."

Assembly, "An act to amend section 46 of title 10 of an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, relative to the jurisdiction of ward justices of the peace."

After some time spent therein, the President resumed the chair, and Mr. Madden, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Madden, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Kellogg offered the following:

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of Assembly bill No. 34, being an act entitled "An act for the better enforcement of certain penal laws," for reconsideration.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties."

Assembly, "An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates, to change and alter the course and channel of a stream of water known as "Big stream," where the same passes through the village of Dundee in said town."

"An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State, relating to the care and custody of the insane, the management of the asylum for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874."

After some time spent therein the President resumed the chair, and Mr. Lord, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Lord, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Lord, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

By unanimous consent, Mr. Madden asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866, passed February 17, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

On motion of Mr. Johnson, the Senate adjourned.

TUESDAY, APRIL 6, 1875.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. James.

The journal of yesterday was read and approved.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend part 3, chapter 9, title 1, article 2, of the Revised Statutes, relating to the writ of habeas corpus."

"An act to amend chapter 344 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 13, 1860, and to define the term of office of the acting superintendent and auditing superintendent of the poor now in office under said act."

"An act relating to the term of office of clerk of the commission of appeals."

"An act to conform all charters of savings banks or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for the supervision and the administration of their affairs."

Mr. Ray presented a petition of tax-payers of the city of Hudson relative to supplying said city with pure water; which was read and referred to the committee on the affairs of cities.

Mr. Robertson presented a remonstrance of Charles S. Cornish and others against the act permitting life and other insurance companies to loan money out of the State; which was read and referred to the committee on the judiciary.

The Assembly returned, pursuant to request, the Assembly bill entitled "An act for the better enforcement of certain penal laws."

On motion of Mr. Kellogg, and by unanimous consent, the adverse report of the committee on the judiciary upon said bill was reconsidered.

Mr. Kellogg moved that said bill be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act in relation to the erection of the court-house in the third judicial district of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to provide for supplying the city of Hudson with pure and wholesome water,' passed May 7, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to confirm the election of village trustees in certain cases, and to provide for determining, by lot, their respective terms of office."

Assembly, "An act to provide for the better care of pauper and destitute children."

"An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Johnson, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Johnson, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Gross moved that the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873, be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another."

Assembly, "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

"An act further to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812."

After some time spent therein the President resumed the chair, and Mr. McGowan, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGowan, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. McGowan, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Bradley moved that the last named bill be recommitted to the committee on the militia, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King offered the following:

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of Assembly Bill No. 180, being an act entitled "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and

proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate the Rescue Hook and Ladder Company of Tonawanda, Erie county, New York."

"An act to amend an act entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' passed April 10, 1855, as amended by chapter 847 of the Laws of 1866, passed April 28, 1866."

"An act relating to appeals by incorporated cities."

After some time spent therein the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. King called for the consideration of the resolutions in the words following:

Whereas, In the year 1833, the States of New York and New Jersey appointed a joint commission to define the boundary line between said States and their jurisdiction, respectively, over the waters of the New York harbor; and,

Whereas, Encroachments are being constantly made upon said harbor, on both sides of the Hudson river, by citizens of both States; therefore,

Resolved (if the Assembly concur), That the acting commissioners appointed by the Governor, to discharge the duty imposed by section 7 of chapter 613 of the Laws of 1865, be authorized to meet the like number of commissioners to be appointed by the Governor of New Jersey, and with them as soon as may be, to ascertain where the exterior lines for said harbor, lying between said States, are located, and whether any and what encroachments have been made upon such harbor; such commissioners to be authorized to employ such persons as may be necessary to assist them in the performance of the aforesaid service, and to be required to report their proceedings and the expenses (not exceeding the sum of \$5,000) thereof to the Legislature of this State at its next annual meeting; and in case of death or resignation of said commissioners on the part of this State, or either of them, the Governor of this State is hereby empowered to fill the vacancy or vacancies so occurring. But the commissioners appointed under this resolution shall receive no pay and incur no expense until commissioners for a similar purpose are appointed on the part of the State of New Jersey.

Resolved (if the Assembly concur), That the Governor of this State be requested to transmit a duly certified copy of the foregoing resolution to the Governor of the State of New Jersey, to be laid before the Legislature of that State.

Mr. Gross moved to amend said resolution as follows:

Strike out all after the word "the," line 7, printed resolution, down to and including the word "five," in line 10, and insert "Governor be, and he is hereby authorized to appoint three commissioners who shall."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Parmenter	Wagner
Coe	King	Robertson	Wood
Cole	Lowery	Selkreg	Woodin
Connelly	McGowan	Tobey	

FOR THE NEGATIVE.

Bradley	Gross	Laning	Middleton
Dow	Jacobs	Ledwith	Ray
Fox	Johnson	Lord	11

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The President announced as the committee, on the part of the Senate, in the matter of the investigation of the affairs of the canals, pursuant to a concurrent resolution of the Senate and Assembly, Messrs. Cole, Jacobs, and Booth.

By unanimous consent, Mr. Kellogg asked and obtained leave to introduce a bill entitled "An act to provide for and regulate the mode of admission of attorneys and counselors coming from the courts of other States to practice in the courts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act for the relief of Catharine T. Witmore and her children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act relating to the term of office of the clerk of the commission of appeals," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Selkreg
Cole	Kellogg	McGowan	Tobey
Connelly	King	Middleton	Wagner
Dickinson	Laning	Ray	Wood
Dow	Ledwith	Robertson	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release the title and interest of the people of the State of New York in and to certain real estate of which Henry Doyle, late of the city of Auburn, in the State of New York, died seized, to Bridget Doyle, his wife," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Ray
Bradley	Gross	Ledwith	Robertson
Cole	Jacobs	Lord	Selkreg
Connelly	Johnson	Lowery	Wagner
Dickinson	Kellogg	Middleton	Wood
Dow	King	Parmenter	Woodin
			24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize and direct the mayor, aldermen and commonalty of the city of New York, to pay to the county of Westchester claims and demands due said county of Westchester, from said city and county of New York, growing out of the annexation to said city and county of New York, of the late towns of Morrisania, West Farms and Kingsbridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	King	Selkreg	
Bradley	Fox	Laning	Tobey	
Cole	Jacobs	McGowan	Wagner	
Connelly	Johnson	Middleton	Wood	
Dickinson	Kellogg	Robertson	Woodin	20

FOR THE NEGATIVE.

Gross	Ledwith			2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend part 3, chapter 9, title 1, article 2, of the Revised Statutes, relating to the writ of habeas corpus," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Robertson	
Bradley	Gross	Lord	Selkreg	
Cole	Jacobs	Lowery	Wagner	
Connelly	Johnson	Parmenter	Wood	
Dickinson	King	Ray	Woodin	
Dow	Laning			22

FOR THE NEGATIVE.

Kellogg				1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend section 46 of title 10 of an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, relative to the jurisdiction of ward justices of the peace," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Robertson
Bradley	Jacobs	Lowery	Selkreg
Cole	Johnson	Middleton	Wagner
Connelly	Kellogg	Moore	Wood
Dickinson	King	Parmenter	Woodin
Dow	Laning	Ray	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Parmenter
Bradley	Gross	Ledwith	Ray
Cole	Jacobs	Lowery	Robertson
Dickinson	Kellogg	McGowan	Wood
Dow	King	Middleton	Woodin

20

FOR THE NEGATIVE.

Connelly	Selkreg	Wagner	8
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868 entitled 'An act to incorporate the village of Portchester,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Parmenter
Bradley	Jacobs	Lowery	Robertson
Cole	Kellogg	McGowan	Selkreg
Connelly	Laning	Middleton	Wagner
Dow	Ledwith	Moore	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend chapter 344 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 13, 1860, and to define the term of office of the acting superintendent and auditing superintendent of the poor now in office under said act," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Robertson
Bradley	Gross	Middleton	Selkreg
Cole	Laning	Moore	Wagner
Connelly	Ledwith	Parmenter	Wood
Dow	Lord	Ray	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates, to change and alter the course and channel of a stream of water known as 'Big stream,' where the same passes through the village of Dundee in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Robertson
Bradley	Johnson	Middleton	Selkreg
Cole	King	Moore	Wagner
Connelly	Laning	Parmenter	Wood
Dow	Ledwith	Ray	Woodin
Fox	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the election of town auditors in the several towns of this State and to prescribe their powers and duties," having been announced for a third reading,

Mr. Madden moved that said bill be recommitted to the committee on the judiciary, with instructions to amend so that the third "Auditor" shall be appointed the same as a third inspector of election is now appointed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gross offered the following :

Resolved, That the Clerk of the Senate ascertain and report the cause of delay in the printing and placing upon the files the journal of the Senate within the time allowed by rule 8; also whether it is not practicable to have the journal printed and placed upon the files within twenty-four hours after its approval by the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," having been announced for a third reading,

Mr. Booth moved that the same be recommitted to the committee on cities, with instructions to amend as follows :

Section 1, line 8, engrossed bill, after the word "mayor," insert the words "and the comptroller of the city of New York shall by concurrent vote."

Same section, line 21, after the word "chamberlain," insert the words "and the said comptroller of the city of New York, by a concurrent vote, which rate shall not be less than three per cent."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	King	Middleton	Tobey
Cole	Lowery	Robertson	Wood
Connelly	McGowan	Selkreg	Woodin
Dow			

13

FOR THE NEGATIVE.

Bradley	Johnson	Madden	Ray
Fox	Laning	Moore	Wagner
Gross	Ledwith		

10

Mr. Woodin, from the committee on the affairs of cities, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1878," with instructions to amend the same, reported that they have made the amendments thereto as instructed, and have directed their chairman to report the same to the Senate.

Mr. Ledwith moved that said bill be recommitted to the committee on the affairs of cities, with instructions to amend as follows:

Strike out the word "concurrent" in the amendments reported, and insert in lieu thereof the word "majority."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Moore
Fox	Laning	Madden	Ray

8

FOR THE NEGATIVE.

Booth	Kellogg	Middleton	Wagner
Cole	King	Robertson	Wood
Connelly	Lowery	Selkreg	Woodin
Dow	McGowan	Tobey	

15

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg
Bradley	Gross	McGowan	Tobey
Cole	Kellogg	Middleton	Wagner
Connelly	King	Ray	Wood
Dickinson	Laning	Robertson	Woodin
Dow			

21

FOR THE NEGATIVE.

Johnson	Ledwith	Madden	Moore	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto :

"An act providing for the forfeiture of property in certain cases."

Ordered, That the Clerk return said bill to the Assembly.

On motion of Mr. Middleton, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Wood presented a petition of the homœopathic physicians of Syracuse for an equal representation of the different schools of medicine in the bill to create a State board of health; which was read and referred to the committee on public health.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act in relation to the appointment of railroad commissioners."

"An act to amend an act entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplementary thereto, passed March 29, 1875."

Assembly, "An act to amend an act entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' passed June 18, 1873."

After some time spent therein the President resumed the chair, and Mr. Gross, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Gross, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Gross, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to authorize the compromise of certain claims against the mayor, aldermen and commonalty of the city of New York," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend the act entitled 'An act to

provide for supplying the city of Hudson with pure and wholesome water,' passed May 7, 1873," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the salary of the supervisors of Albany county,' passed May 3, 1871," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park in or outside of the city of Binghamton, and lay out the same, passed April 6, 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was recommitted the Assembly bill entitled "An act to confirm the proceedings of the board of supervisors of the county of New York in the authorization of the appointment of assistant keepers at the county jail in said county, and for the relief of the persons so appointed," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Cole, from the committee on canals, to which was referred the bill entitled "An act to abolish the office of superintendent of canal repairs, and to give additional powers to the Canal Commissioners for the more efficient and economical repair and maintenance of the canals of this State," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Cole, from the committee on canals, to which was referred the Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs, and maintenance of the canals for the fiscal year commencing on the first day of October, 1875," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Cole, from the committee on canals, to which was referred the Assembly bill entitled "An act to reappropriate moneys for construction of new work upon, and extraordinary repairs of, the canals of this State, and for payment of awards made by the Canal Appraisers," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Laning offered the following:

Whereas, On the twenty-ninth of January resolutions were adopted by the Senate commemorative of the life, services and character of the late Hon. John Ganson deceased, Senator from the Thirty-first district, which directed "that copies thereof, duly avouched by the Lieutenant-Governor and the Clerk, be transmitted to the family of the deceased, to the mayor of the city of Buffalo, and the chief justice of the court of appeals," therefore,

Resolved, That William P. Jones be and is hereby appointed special engrossing clerk for the purpose of engrossing the same, with such suitable and appropriate ornamentation as is customary in such work, preparatory to their being transmitted in accordance with the provisions of

the said resolutions, and that the compensation for such service shall be five hundred dollars.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	McGowan	Selkreg
Cole	King	Middleton	Wagner
Dayton	Laning	Ray	Wood
Fox	Ledwith	Robertson	Woodin
Gross	Madden		

18

The Senate again resolved itself into committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to enable married women to release and to confirm releases of dower and inchoate rights of dower in certain cases."

Assembly, "An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company."

"An act to amend an act entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or territories of the United States,' passed March 10, 1870."

After some time spent therein the President resumed the chair, and Mr. McGowan, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. McGowan, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. McGowan, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act legalizing certain proceedings of a town meeting held in the town of Moriah, Essex county, on the first Tuesday of March, 1875."

"An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Midletown, the Buffalo State Asylum for the Insane, and the State Reformatory at Elmira."

"An act to provide for the consolidation of school districts."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Johnson, from the same committee, reported in favor of the passage of the second named bill, with amendments.

Mr. Laning moved that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cole offered the following:

Resolved (if the Assembly concur), That the testimony and proceedings of the joint committee appointed to investigate matters as to alleged canal frauds be printed under the direction of said committee, as said committee shall proceed in its investigation.

By unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to deliver said resolution to the Assembly immediately, and request their concurrence therein.

Mr. Ledwith moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Laning moved that the bill entitled "An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, the Buffalo State Asylum for the Insane, and the State Reformatory at Elmira," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, the Buffalo State Asylum for the Insane, and the State Reformatory at Elmira."

After some time spent therein the President resumed the chair, and Mr. Tobey, from said committee, reported in favor of the passage of the said named bill, which report was agreed to, and the same ordered engrossed for a third reading.

On motion of Mr. Tobey, the Senate adjourned.

WEDNESDAY, APRIL 7, 1875.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Bartlett.

The journal of yesterday was read and approved.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of Catharine T. Wetmore and children," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the organiza-

tion and regulation of certain business corporations," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the election of police justices in villages," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out of public roads and the alteration thereof,' passed April 28, 1873," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in the town of Plattsburgh," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in the towns of Ticonderoga and Schroon, in the county of Essex," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to release the right, title and interest of the people of the State of New York in and to certain real estate of which James Gillen died seized to Elizabeth Ryall, late widow of the said James Gillen, deceased, and now wife of Christopher Ryall;" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' passed April 6, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to authorize and regulate abbreviated forms of deeds, mortgages and covenants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gross moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gross moved that the bill entitled "An act for the incorporation of villages," be recommitted to the committee on villages, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to release the interest of the people of the State of New York in certain real estate to the town of Naples, Ontario county."

Assembly, "An act to enable the board of education of the city of Brooklyn to sell certain lands."

"An act in relation to the county court-house and jail in Queens county."

After some time spent therein, the President resumed the chair, and Mr. Wood, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Wood, from said committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Wagner, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, and further to amend chapter 140 of the Laws of 1850," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wagner, from the committee on railroads, to which was referred the Assembly bill entitled "An act further to amend chapter 346 of the Laws of 1863, entitled 'An act empowering railroad companies to employ police force,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wagner, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize municipal corporations holding the first-mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Wagner, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same, over the Kill von Kull at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points, over Arthur kill or Staten Island sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named,' passed May 26, 1873," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wagner, from the committee on railroads, to which was referred the Assembly bill entitled "An act to permit the New Jersey and New York Railway Company to continue their road from Haverstraw into Orange and Ulster counties," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, the committee of the whole was discharged from the further

consideration of the bill entitled "An act for the relief of Oatharine T. Wetmore and her children," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Ray
Cole	Gross	Lord	Robertson
Connelly	Jacobs	Lowery	Tobey
Dayton	Kellogg	Middleton	Wagner
Dickinson	King	Moore	Woodin
Dow	Laning	Parmenter	23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Gross moved that the executive session be postponed until a quarter before two o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to change the name of the village of Potsdam Junction, in the town of Potsdam, in the county of St. Lawrence, to Baldwin," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburg,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, and chapter 360 of the Laws of 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act for the incorporation of societies or clubs for certain lawful purposes."

"An act to amend an act entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' passed April 10, 1855, as amended by chapter 847 of the Laws of 1866, passed April 28, 1866."

"An act relating to appeals by incorporated cities."

"An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office."

"An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another."

"An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874."

"An act to incorporate the Rescue Hook and Ladder Company of Tonawanda, Erie county, New York."

"An act to amend an act entitled 'An act to amend an act entitled

An act to provide for the incorporation of religious societies, passed April 5, 1813 and supplementary thereto,' passed March 29, 1875."

"An act legalizing certain proceedings of a town meeting, held in the town of Moriah, Essex county, on the first Tuesday of March, 1875."

"An act to amend an act entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or territories of the United States,' passed March 10, 1870."

"An act in relation to the Hudson River State Hospital for the Insane, at Poughkeepsie; the State Homœopathic Asylum for the Insane, at Middletown; the Buffalo State Asylum for the Insane, and the State Reformatory, at Elmira."

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to make town 1, range 8, of the Holland Land Company's Survey, located in the town of South Valley, Cattaraugus county, a separate road district, and provide for a commissioner of highways for said district, and also to appropriate money to repair a bridge over the Allegany river on the Indian reservation in said town."

"An act to regulate the supply of stationery for the officers and reporters of the Legislature."

"An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylum for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874."

After some time spent therein the President resumed the chair, and Mr. Fox, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Fox, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Fox, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Assembly returned the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," with a message that they do not concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee, on their part, Messrs. Daly, Waehner, Reilly, Husted, and Seward.

Mr. Gross moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Gross, Woodin, and Wagner.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to authorize the villages of the State to furnish pure and wholesome water to the inhabitants thereof."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned, pursuant to request of Senate, the Assembly bill entitled "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

Mr. King moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Fox	Lowery	Robertson
Coe	Gross	McGowan	Wagner
Cole	Johnson	Middleton	Wood
Connelly	King	Parmenter	Woodin
Dayton			

21

On motion of Mr. King, and by unanimous consent said bill was amended as follows :

Insert as section 2 the following :

"§ 2. Section two of said act is hereby amended so as to read as follows :

"§ 2. On the first Tuesday of November next it shall be lawful for the electors of Queens county to elect seven coroners in and for said county."

Change section 2 to section 3.

The President put the question whether the Senate would agree to the final passage of said bill, as amended and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Fox	Lowery	Robertson
Coe	Gross	McGowan	Wagner
Cole	Johnson	Middleton	Wood
Connelly	King	Parmenter	Woodin
Dayton			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to amend 583 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district and to establish free schools therein,' and also an act amendatory thereof, known as chapter 867 of the Laws of 1867."

"An act to amend an act entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851."

"An act to amend an act entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871."

"An act to change the name of the Black River Insurance Company of Watertown, New York."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders; and, after some time spent therein, the hour of quarter before two o'clock having arrived, the President resumed the chair and announced executive session.

Mr. Gross moved that the executive session be postponed until two o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and legislative business resumed.

The committee of conference to which was referred the matters of difference between the two Houses upon the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Reusselaer,' passed May 5, 1870," beg leave respectfully to report that they have met and duly considered the same, and have agreed to recommend that the Assembly concur in the amendment made by the Senate.

R. A. PARMENTER,
H. C. CONNELLY,
Senate Committee.

W. T. TAYLOR,
WILLIAM V. OLEARY,
CHARLES REILLY,
JOHN MCGROARTY,
WM. W. LAWSON,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Moore
Bradley	Fox	Ledwith	Parmenter
Coe	Gross	Lowery	Robertson
Cole	Jacobs	McGowan	Tebay
Connelly	King	Middleton	Woodin
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Ledwith, from the committee on insurance, to which was referred the Assembly bill entitled "An act to authorize the New York Bowery Fire Insurance Company to elect one or more vice-presidents," reported in favor of the passage of the same, with amendments, the title amended by inserting the word "Fire," after the word "Bowery," and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Connelly asked and obtained leave to introduce a bill entitled "An act to protect primary meetings and caucuses of political parties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Dow, the Senate adjourned.

THURSDAY, APRIL 8, 1875.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Bartlett.

The journal of yesterday was read and approved.

Mr. Woodin presented a petition of citizens of Auburn relative to a street railroad in that city; which was read and referred to the committee on railroads.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to define and limit the liens of contractors, laborers, and others upon real estate in the city and county of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' passed April 6, 1872," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act authorizing the city of Poughkeepsie to sell and convey any real estate or interest in such estate owned or possessed by it," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act authorizing the city of Poughkeepsie to sell and convey certain real estate owned by said city," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the liquidation and payment of claims against the State of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act for the demolition of unsafe walls and buildings in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on finance, to which was recommended the bill entitled "An act further to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Madden asked and obtained leave to introduce a bill entitled "An act to authorize the payment, in whole or in part, of the bonded indebtedness of any of the towns in this State created in aid of any railroad therein, and to prescribe the mode in which the people thereof shall determine the time and amount of such payment," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to legalize and confirm the proceedings of the incorporation of the village of Canistota, in the county of Steuben, and the election of officers therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the construction of a street railroad in the city of Auburn,' passed April 15, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for the consolidation of school districts."

"An act for the relief of Catharine T. Wetmore and her children."

"An act to make town 1, range 8, of the Holland Land Company survey, located in the town of South Valley, Cattaraugus county, a separate road district and provide for a commissioner of highways for said district, and also to appropriate money to repair a bridge over the Allegheny river on the Indian reservation in said town."

The Assembly sent for concurrence the bills entitled as follows:

"An act for the incorporation of societies for the prevention of cruelty to children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act making appropriations for certain expenses of government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to release the interest of the people of the State of New York in certain real estate in Kirkland, Oneida county, New York, to Mary Hughes, widow of James Hughes, deceased, her heirs and assigns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release the interest of the people of the State of New York to the children and the heirs of William Smith, deceased, and to enable them to take, hold and dispose of certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release the interest of the people of the State of New York in certain real estate in the town of Avon, New York, to Margaret Curran," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to enable Ann Noble to take and hold real estate, and to release to her the interest and title in lands escheated to the State,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release the interest of the people of the State of New York in certain real estate in the city of Albany to Samuel T. Fisher," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release the right, title and interest of the people of the State of New York in and to certain real estate in the city of New York to Julia A. Cosby, widow, and John E. Cosby, Colbert M. Cosby and Heintzelmann B. Cosby, heirs at law of Edmund Cosby, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act supplementary to chapter 60 of the Laws of 1818, entitled 'An act to provide for the incorporation of religious societies,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the recording of certain decrees in partition suits now remaining on file in the office of the clerk of Onondaga county, and for the alphabetical indexing of certain records of deeds and mortgages in the office of said clerk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies,' passed April 5, 1818 and supplementary thereto, passed March 29, 1875," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Middleton
Bradley	Jacobs	Lord	Ray
Cole	Johnson	Lowery	Robertson
Connelly	King	Madden	Selkreg
Dickinson	Laning	McGowan	Woodin
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Middleton
Bradley	Jacobs	Lord	Ray
Cole	Johnson	Lowery	Robertson
Connelly	King	Madden	Selkreg
Dickinson	Laning	McGowan	Woodin
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Rescue Hook and Ladder Company of Tonawanda, Erie county, New York," having been announced for a third reading,

On motion of Mr. Laning, and by unanimous consent, said bill was amended as follows :

Section 2, engrossed bill, line 5, strike out the word "to," and insert the words "proper for the government of."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Ray
Bradley	Johnson	Lowery	Robertson
Connelly	King	Madden	Selkreg
Dickinson	Laning	McGowan	Woodin
Dow	Ledwith	Middleton	

19

FOR THE NEGATIVE.

Jacobs

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to confirm the election of village trustees in certain cases, and to provide for determining, by lot, their respective terms of office," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Middleton
Bradley	Jacobs	Lord	Ray
Cole	Johnson	Lowery	Robertson
Connelly	King	Madden	Selkreg
Dow	Laning	McGowan	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Gross	Madden	Selkreg
Cole	Jacobs	McGowan	Tobey
Connelly	King	Middleton	Woodin
Dickinson	Lord	Ray	19

FOR THE NEGATIVE.

Johnson	1
---------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' passed April 10, 1855, as amended by chapter 847 of the Laws of 1866, passed April 28, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Ray
Bradley	Jacobs	Lowery	Robertson
Cole	Johnson	Madden	Selkreg
Connelly	King	McGowan	Tobey
Dickinson	Laning	Middleton	Woodin
Dow	Ledwith		22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act legalizing certain proceedings of a town meeting held in the town of Moriah, Essex county, on the first Tuesday of March, 1875," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Ray
Bradley	Gross	Lowery	Robertson
Cole	Johnson	Madden	Selkreg
Connelly	King	McGowan	Tobey
Dickinson	Laning	Middleton	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Ray
Bradley	Jacobs	Lowery	Robertson
Cole	Johnson	Madden	Selkreg
Connelly	King	McGowan	Tobey
Dickinson	Laning	Middleton	Woodin
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or territories of the United States,' passed March 10, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Ray
Bradley	Jacobs	Lowery	Robertson
Cole	Johnson	Madden	Selkreg
Connelly	King	McGowan	Tobey
Dickinson	Laning	Middleton	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the incorporation of societies or clubs for certain lawful purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Laning	Middleton
Bradley	Jacobs	Lord	Ray
Cole	Johnson	Lowery	Robertson
Connelly	Kellogg	Madden	Selkreg
Dickinson	King	McGowan	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' passed June 18, 1878," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative,

a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Ray
Bradley	Gross	Lowery	Robertson
Cole	Jacobs	Madden	Selkreg
Connelly	Johnson	McGowan	Tobey
Dayton	King	Middleton	Woodin
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Gross	Madden	Selkreg
Cole	Jacobs	McGowan	Tobey
Connelly	Kellogg	Middleton	Woodin
Dickinson	King	Ray	

19

FOR THE NEGATIVE.

Johnson

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the appointment of railroad commissioners," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Middleton
Bradley	Gross	Ledwith	Ray
Coe	Johnson	Lord	Robertson
Cole	Kellogg	Madden	Selkreg
Connelly	King	McGowan	Woodin
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to enable the board of education of the city of Brooklyn to sell certain lands," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dayton	King	McGowan	
Bradley	Dickinson	Laning	Ray	
Coe	Dow	Ledwith	Robertson	
Cole	Johnson	Lowery	Selkreg	
Connelly	Kellogg	Madden	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate to the town of Naples, Ontario county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	McGowan	
Bradley	Dow	Led with	Ray	
Coe	Gross	Lord	Robertson	
Cole	Johnson	Lowery	Selkreg	
Connelly	Kellogg	Madden	Woodin	
Dayton	King			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to provide for the consolidation of school districts," having been announced for a third reading,

On motion of Mr. Middleton, and by unanimous consent, was amended as follows:

Section 1, line 12, engrossed bill, strike out the word "adjoining," and after the word "towns" insert "adjoining."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dayton	Kellogg	Middleton	
Bradley	Dickinson	King	Ray	
Coe	Dow	Laning	Robertson	
Cole	Gross	Lowery	Selkreg	
Connelly	Jacobs	McGowan	Tobey	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to make town 1, range 8, of the Holland Land Company Survey, located in the town of South Valley, Cattaraugus county, a separate road district, and provide for a commissioner of highways for said district, and also to appropriate money to repair a bridge over the Allegany river, on the Indian reservation, in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	King	Moore
Bradley	Dow	Laning	Ray
Coe	Fox	Lord	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	Johnson	McGowan	Tobey
Dayton	Kellogg	Middleton	Woodin

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Bradley moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to amend an act entitled 'An act to authorize the consolidation of certain railroad companies,' passed May 20, 1869," was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Kellogg	Middleton
Bradley	Dow	Laning	Moore
Coe	Fox	Lord	Ray
Cole	Jacobs	Lowery	Selkreg
Connelly	Johnson		

18

FOR THE NEGATIVE.

Robertson

1

On motion of Mr. Bradley, and by unanimous consent, said bill was amended so as to read as follows :

Section 1, line 10, engrossed bill, strike out the words "any other State" and insert "the State of Pennsylvania."

Same section, line 13, after the word "within" insert "this State," in lines 14 and 15 strike out the words "without this State" and insert "within the State of Pennsylvania."

Same section, line 21, strike out the words "any other State" and insert "the State of Pennsylvania." Same section, line 22, strike out the words "any other" and insert "that." Same line strike out "State."

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Kellogg	Ray
Coe	Fox	Laning	Selkreg
Cole	Gross	Lord	Tobey
Connelly	Jacobs	Moore	Woodin
Dayton	Johnson		

18

FOR THE NEGATIVE.

Booth	Dickinson	Lowery	Madden	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Cole moved that the Senate do now go into executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened and legislative business resumed.

Mr. Selkreg moved to take from the table the motion to reconsider the vote by which the report of the committee on public printing, in favor of the adoption of the following resolution, was disagreed to:

Resolved (if the Senate concur), That 500 copies of the reports and testimony taken by the commissioners appointed by His Excellency the late Governor to investigate and report upon the disposition and management of the Cornell University Land Grant be printed for the use of the Legislature.

The President put the question whether the Senate would agree to reconsider the vote by which said report was disagreed to, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Robertson	
Bradley	Dow	Ledwith	Selkreg	
Connolly	Fox	Middleton	Woodin	
Dayton	King	Ray		15

FOR THE NEGATIVE

Johnson	Lowery	Madden	McGowan	
Lord				5

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Ray	
Bradley	Dow	Ledwith	Robertson	
Cole	Fox	Madden	Selkreg	
Connolly	Gross	Middleton	Woodin	
Dayton	King	Moore		19

FOR THE NEGATIVE.

Johnson	Lord	Lowery	McGowan	4
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Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act in relation to railroad corporations."

Assembly, "An act to provide for the better care of pauper and destitute children."

Assembly "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and mainten-

ance of the canals for the fiscal year commencing on the first day of October, 1875."

After some time spent therein the President resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Connelly, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Connelly, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Kellogg, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to enlarge the board of education in Union Free School district No. 6, in the town of Northfield, in the county of Richmond, and to change the name of said district, and to authorize said board of education to sell and convey to the purchaser thereof the present school-house and site, and also to purchase a new site for a school-house in said district, and to erect thereupon a new school-house, and to provide for the raising of money therefor."

"An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870."

"An act to amend an act entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872."

After some time spent therein, the President resumed the chair, and Mr. Gross, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Lord, and by unanimous consent, the Assembly bill entitled "An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company," was ordered printed.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848."

"An act further to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812."

"An act to authorize the several towns in this State to maintain certain actions against railroad corporations."

After some time spent therein the President resumed the chair, and Mr. Madden, from said committee, reported in favor of the passage of the two first named bills, with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Madden, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof."

"An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled An act to prevent the adulteration of milk, and prevent the traffic in impure and unwholesome milk,' passed May 2, 1864."

Assembly, "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1875."

After some time spent therein the President resumed the chair, and Mr. Laning, from said committee, reported in favor of the passage of the two first named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Laning, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Kellogg moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to reappropriate moneys for construction of new work upon and extraordinary repairs of the canals of this State, and for payment of awards made by the canal appraisers."

"An act to incorporate the Hornellsville fire department."

"An act to alter the map or plan of the city of New York by striking therefrom the proposed avenue B, between Sixty-eighth and Seventy-ninth streets."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Johnson, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to amend an act entitled 'An act to authorize the consolidation of certain railroad companies,' passed May 20, 1869."

"An act to release certain lands which have escheated to the State to Eliza Blain, widow of John Blain, late of the city of Buffalo."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the concurrent resolution relative to printing the report and testimony taken by the commissioners appointed by the Governor to investigate the management of the Cornell University Land Grant, with a message that they had concurred in the amendment of the Senate thereto.

Ordered, That the Clerk return said resolution to the Assembly.

The Assembly returned the Assembly bill entitled "An act to amend section 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of the State of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed, by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees,' and providing for the payment of the expenses thereof," with a message that they had agreed to the report of the committee of conference thereon, as amended by the Senate.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto, respectively:

"An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

"An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company."

"An act to amend an act entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' passed June 18, 1878."

Ordered, That the Clerk return said bills to the Assembly.

On motion of Mr. Madden, the Senate adjourned.

FRIDAY, APRIL 9, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Laning presented a petition of S. N. Baker, President of the Boat-owners Association and 85 boat owners of the city of Buffalo, for reduction of tolls on the canals, which was read and referred to the committee on canals.

Also, two petitions of citizens of Lockport upon the same subject, which were read and referred to the committee on canals.

Mr. Parmenter presented a petition of citizens of Salem, Washington county, to legalize town meeting held in that town, which was read and referred to the committee on the judiciary.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the county treasurer of Monroe county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to enable Ann Noble to take

and hold real estate and to release to her the interest and title in lands escheated to the State," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the right, title and interest of the people of the State of New York in and to certain real estate in the city of New York to Julia A. Cosby, widow, and John E. Cosby, Colbert M. Cosby and Heintzelmann B. Cosby, heirs at law of Edmund Cosby, deceased," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York to the children and the heirs of William Smith, deceased, and to enable them to take, hold and dispose of certain real estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to annex to the city of Brooklyn the town of New Lots, and to provide for its government and control in said city," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the resolution of the Senate relative to the removal of certain officers, as provided in section 7 of article 10 of the Constitution, reported by bill entitled "An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein mentioned, and for filling the vacancies created by such removal," for the consideration of the Senate, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Robertson moved that the consideration of the bill be made a special order for Tuesday morning next, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' known as the Code of Procedure," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the transfer of moneys held in trust to non-resident guardians and others and to repeal chapter 59 of the Laws of 1870, entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or territories of the United States,'" reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond, passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867,' and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above named acts," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' passed March 8, 1865," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The President presented the Thirtieth Annual Report of the Prison Association of New York; which was laid upon the table and ordered printed. (See Doc. No. 78.)

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend chapter 26 of the Laws of 1874, entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith for the use of the Methodist Episcopal Church,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend section 1, section 4, and section 21 of chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9, in the town of Pomfret, a Union Free School district,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The Assembly returned the concurrent resolutions to print 1,500 copies of the Eighth Annual Report of the State Board of Charities, and 500 copies of the Annual Report of the Canal Appraisers, with messages that they had concurred in the same respectively.

The Assembly returned the bills entitled as follows:

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

"An act for continuing and regulating a ferry across the Hudson river in the town of Phillipstown, in the county of Putnam."

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent, Mr. Lowery asked and obtained leave to introduce a bill entitled "An act relating to free instruction in drawing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Parmenter asked and obtained leave to introduce a bill entitled "An act to legalize the annual town meeting held at the Salem Hotel, in the town of Salem, county of Washington, the election, resolutions, and proceedings by said meeting, and all acts and proceedings in pursuance thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act further to amend chapter 167 of the Laws of 1860, entitled 'An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gross moved that when the Senate adjourns to-day, it adjourn to meet on Monday evening next at half past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dow moved that the Assembly bill entitled "An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act relative to the care and education of deaf-mutes."

Assembly, "An act to provide for the construction of an armory and rifle range at Sing Sing in the county of Westchester."

Assembly, "An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company."

After some time spent therein the President resumed the chair, and Mr. Gross, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Gross, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Gross, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylum for their treat-

ment and safe-keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874."

"An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870."

"An act further to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812."

"An act to amend an act entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872."

"An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof."

"An act to incorporate the Hornellsville fire department."

"An act to alter the map or plan of the city of New York by striking therefrom the proposed avenue B, between Sixty-eighth and Seventy-ninth streets."

"An act to authorize the several towns in this State to maintain certain actions against railroad corporations."

"An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled 'An act to prevent the adulteration of milk, and prevent the traffic in impure and unwholesome milk,' passed May 2, 1864."

"An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848."

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to Senate bill entitled "An act to appoint a reporter of the decisions of the supreme court," having met and duly considered the same, have agreed to recommend as follows:

That the Senate concur in the amendments made by the Assembly.

F. W. TOBEY,
A. P. LANING,
WM. JOHNSON,

Senate Committee.

C. P. VEDDER,
S. H. HAMMOND,
LEO C. DESSAR,
D. R. SHIEL,
JAMES W. HUSTED,

Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Ray	
Bradley	Fox	Lowery	Robertson	
Cole	Gross	Madden	Tobey	
Connelly	Jacobs	Middleton	Wood	
Dickinson	King	Parmenter	Woodin	20

FOR THE NEGATIVE.

Selkreg 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The committee of conference appointed by the Senate and Assembly,

to which was referred the matters in difference between the two Houses, relative to the Senate bill entitled "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof,'" having met and duly considered the same, have agreed to recommend as follows :

That the Senate agree to the amendment proposed by the Assembly, with the following addition at the end thereof: "but the authority herein granted shall not be construed to authorize any corporation organized under the laws existing or doing business in this State to purchase, hold, own or convey any other stocks than such as may be or may have been based upon or represent real estate the possession of which shall be required in the transaction of its legitimate and ordinary business.

JACOB A. GROSS,
GEO. B. BRADLEY,
W. S. DICKINSON,
Senate Committee.

L. C. WAEHNER,
S. H. HAMMOND,
THOS. C. CAMPBELL,
NATHAN D. PETTY,
C. P. VEDDER,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Fox	Middleton	Tobey
Cole	Gross	Parmenter	Wood
Connelly	Jacobs	Ray	Woodin
Dickinson	Ledwith		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Middleton, from the committee on agriculture, to which was referred the bill entitled "An act directing inquiries to be made and reported to the next Legislature upon the supply of timber, and the most effectual means for the maintenance thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1875," having been announced for a third reading,

On motion of Mr. Laning, and by unanimous consent, the rules were suspended, and said bill was amended as follows :

Add at end of amendment, made in committee of the whole, the words "the preceding year."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	McGowan	Robertson
Cole	Laning	Middleton	Tobey
Connelly	Ledwith	Parmenter	Wood
Dow	Lord	Ray	Woodin
Gross	Lowery		

18

FOR THE NEGATIVE.

Dickinson	Madden	Selkreg	8
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly bill entitled "An act to reappropriate moneys for construction of new work upon, and extraordinary repairs of, the canals of this State, and for payment of awards made by the Canal Appraisers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Middleton
Bradley	Fox	Ledwith	Parmenter
Cole	Gross	Lord	Ray
Connelly	Johnson	Lowery	Wood
Dickinson	King	McGowan	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the better care of pauper and destitute children," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Ray
Bradley	Gross	Lord	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	Johnson	McGowan	Tobey
Dickinson	King	Middleton	Wood
Dow	Laning	Parmenter	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Ray
Cole	Jacobs	Lord	Robertson
Connelly	Johnson	Lowery	Selkreg
Dickinson	Kellogg	McGowan	Wood
Dow	King	Middleton	Woodin
Fox	Laning	Parmenter	28

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Ray
Cole	Gross	Lowery	Robertson
Connelly	Jacobs	McGowan	Selkreg
Dickinson	Kellogg	Middleton	Wood
Dow	Laning	Parmenter	Woodin
			20

FOR THE NEGATIVE.

Johnson 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	Johnson	McGowan	Tobey
Dickinson	Kellogg	Middleton	Wood
Dow	Laning	Parmenter	Woodin
Fox	Ledwith	Ray	23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act further to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	Lowery	Robertson
Bradley	Kellogg	McGowan	Selkreg
Cole	King	Middleton	Tobey
Connelly	Laning	Parmenter	Wood
Dickinson	Lord	Ray	Woodin
Dow			

21

FOR THE NEGATIVE.

Fox	Gross	Jacobs	Ledwith	4
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Mr. Bradley moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to authorize the several towns in this State to maintain certain actions against railroad corporations," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Ray
Cole	Jacobs	Lord	Robertson
Connelly	Johnson	Lowery	Selkreg
Dow	Kellogg	McGowan	Tobey
Fox	King	Middleton	Wood

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Robertson
Bradley	Jacobs	Lowery	Selkreg
Cole	Kellogg	McGowan	Tobey
Connelly	King	Middleton	Wood
Dow	Ledwith	Ray	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Bradley moved that the Senate hold an executive session at twelve o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Hornellsville fire department," having been announced for a third reading,

On motion of Mr. Bradley, and by unanimous consent, said bill was amended as follows:

Section 3, line 5, strike out the word "only."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Ray
Bradley	Gross	Ledwith	Robertson
Cole	Jacobs	Lord	Selkreg
Connelly	Johnson	Lowery	Tobey
Dickinson	Kellogg	McGowan	Wood
Dow	King	Middleton	Woodin

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, the Buffalo State Asylum for the Insane, and the State Reformatory at Elmira," having been announced for a third reading,

On motion of Mr. Lord, and by unanimous consent, the rules were suspended, and said bill was amended as follows:

Section 1, line 15, engrossed bill, after the word "advertised," insert "but no bid shall be canvassed which shall not be properly balanced."

Same section, line 21, insert "Governor and" before "Comptroller."

On motion of Mr. Wood, and by unanimous consent, said bill was further amended as follows:

Section 1, lines 24 and 25, strike out the words "said Comptroller" and insert "the." Line 25 insert after "approval" the words of the "Governor and Comptroller." Line 28 insert before "Comptroller" the words "Governor and."

Mr. Wood moved to recommit said bill to the committee of the whole, and that the same be considered in the first committee not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Wood moved that the executive session be postponed until one o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled An act to prevent the adulteration of milk, and prevent the traffic in impure and unwholesome milk,' passed May 2, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	King	Ray
Bradley	Gross	Laning	Robertson
Cole	Jacobs	Ledwith	Selkreg
Connelly	Johnson	Lord	Wood
Dickinson	Kellogg	Parmenter	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to alter the may or plan of the city of New York, by striking therefrom the proposed avenue B, between Sixty-eighth and Seventy-ninth streets," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and three-fifths of all the members elected to the Senate not being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Wood
Dickinson	King	Ray	Woodin
Dow	Laning	Robertson	

11

Said bill was ordered laid upon the table.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, and after some time spent therein, the hour of one o'clock having arrived, the President resumed the chair, and announced an executive session.

Mr. Jacobs moved that the executive session be postponed until half-past one o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate, in committee of the whole, resumed the consideration of general orders, before concluding which, the hour of half-past one o'clock having arrived, the President again resumed the chair, and announced an executive session.

Mr. Ray moved that the executive session be postponed for five minutes.

Mr. Wood moved to amend, so that the executive session be postponed until the bill under consideration in committee of the whole was was disposed of.

The President then put the question whether the Senate would agree to said amendment of Mr. Wood, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Ray, and it was decided in the affirmative.

The Senate again, in committee of the whole, continued the consideration of general orders, when the allotted five minutes having expired, the President resumed the chair, and announced an executive session.

Mr. Ray moved that the executive session be postponed for ten minutes

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Ledwith, the Senate adjourned. .

MONDAY, APRIL 12, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, April 9, was read and approved.

Mr. Laning presented three petitions of citizens of Niagara county praying for a reduction of tolls on the canals of the State; which were read and referred to the committee on canals.

Mr. Selkreg presented a petition of homœopathic physicians for representation in the State Board of Health; which was read and referred to the committee on health.

Mr. Booth presented a memorial of the Union League Club relative to taxation; which was read and referred to the committee on the judiciary.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor for the return of Assembly bill No. 115, entitled "An act in relation to railroads," for amendment.

By unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville, passed April 9, 1867,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the city of Elmira to borrow money and issue bonds of the city therefor in payment of the floating debt of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,' and the several acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to legalize the annual town meeting held at the Salem Hotel, in the town of Salem, county of Washington, the election resolutions and proceedings by said meeting, and all acts and proceedings in pursuance thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the city of Utica to provide a building for fire department purposes, and borrow and disburse money to pay for the same," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on the affairs of cities.

"An act for the relief of the New York and Yonkers Fire Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to authorize the village of Glens' Falls to borrow money, and issue bonds for the purpose of increasing its supply of water and extending its water-works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act in relation to coroners' fees and post-mortem examinations in Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal chapter 270 of the Laws of 1829, entitled 'An act for the prevention of masquerades,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to fix the salaries of certain State officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend the act entitled 'An act to provide for the further supply of the city of Brooklyn with water, and for the payment of the expense thereof,'" passed February 18, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act in relation to the general terms of the supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to repeal chapter 309 of the Laws of 1853, entitled 'An act relative to the common lands of the town of North Hempstead, county of Queens,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act in relation to the court of special sessions of the peace in and for the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Kellogg asked and obtained leave to introduce a bill entitled "An act defining the powers and fees of notaries public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Johnson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend, revise and consolidate the laws in relation to the village of Seneca Falls, in the county of Seneca,' passed April 20, 1874," which was read the first time, and by unanimous consent was also read the second time.

Mr. Johnson moved that said bill be considered in the first committee of the whole not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Robertson moved that the Assembly bill entitled "An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of amusement in the city of New York,'" be recommitted to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Parmenter offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return, for amendment, to the Senate the bill entitled "An act to amend an act entitled 'An act amending, revising, and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871."

On motion of Mr. Parmenter, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

Mr. King offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting him to return to the Senate bill No. 157, entitled "An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein.'"

On motion of Mr. King, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to deliver said resolution to the Assembly immediately, and request their concurrence therein.

A message from His Excellency the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 12, 1875. }

To the Senate:

I return herewith, without my approval, Senate bill No. 27, entitled "An act to change the name of the Black River Insurance Company of Watertown, New York."

It may, perhaps, be questionable whether a corporation is a person known within the meaning of the first subdivision of section 18 of the Constitution; but it seems to me plain that the object sought to be accomplished can as well be attained either by an amendment to chapter 322 of the Laws of 1870, authorizing corporations to change their names, or by a general act specially applicable to insurance companies.

SAMUEL J. TILDEN.

The President put the question, "Shall this bill pass notwithstanding the objections of the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE NEGATIVE.

Booth	King	Parmenter	Thompson
Dickinson	Laning	Ray	Wood
Johnson	Lowery	Robertson	Woodin
Kellogg	McGowan	Selkreg	15

A message from His Excellency the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 12, 1875. }

To the Senate:

I return herewith, without my approval, Senate bill No. 67, entitled "An act for constructing and regulating a ferry across the Hudson river, in the town of Phillipstown, in the county of Putnam."

This bill authorizes the Garrison and West Point Ferry Company to maintain a ferry between Garrison Station and the West Point dock, and prohibits all other persons from conveying passengers or goods for hire across the river between any point on either side within half a mile of a line drawn from the ferry slip at Garrison to the West Point dock, under a penalty of five dollars for each offense.

It seems to me plain that this bill is in conflict with the provisions of section 18 of article 3 of the Constitution, which prohibits the Legislature from passing any private or local bill, "granting to any private corporation, association or individual, any exclusive privilege, immunity or franchise."

SAMUEL J. TILDEN.

Mr. Robertson moved that said message be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act in relation to the Hudson River State Hospital for the Insane, at Poughkeepsie; the State Homœopathic Asylum for the Insane, at Middletown; the Buffalo State State Asylum for the Insane, and the State Reformatory, at Elmira."

"An act to amend the act entitled 'An act to provide for supplying the city of Hudson with pure and wholesome water,' passed May 7, 1873."

"An act to amend an act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park, in or outside of the city of Binghamton, and lay out the same, passed April 6, 1874."

After some time spent therein the President resumed the chair, and Mr. Booth, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Ray moved that said bill as amended be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Booth, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to amend, revise, and consolidate the laws in relation to the village of Seneca Falls, in the county of Seneca,' passed April 20, 1874."

Assembly, "An act to release to Patrick J. Wallace as executor of Anna Hanlon, deceased, the real estate of which Edward Brown died seized."

"An act to amend an act entitled 'An act to facilitate the forming of agricultural and horticultural societies,' passed April 13, 1855."

After some time spent therein, the President resumed the chair, and Mr. Thompson, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Thompson, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the first day of October, 1875, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution."

Assembly, "An act to amend chapter 619 of the Laws of 1873, entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same, over the Kill von Kull at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points, over Arthur kill or Staten Island sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named."

"An act to amend the charter of the American Institute of the city of New York."

After some time spent therein the President resumed the chair, and Mr. Ray, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Ray, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Ray, from said committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' passed April 6, 1872."

Assembly, "An act to permit the New Jersey and New York Railway Company to continue their road from Haverstraw into Orange and Ulster counties."

Assembly, "An act to release the interest of the people of the State of New York to the children and the heirs of William Smith, deceased, and to enable them to take, hold, and dispose of certain real estate."

After some time spent therein the President resumed the chair, and Mr. Middleton, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Middleton, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to enable Ann Noble to take and hold real estate, and to release to her the interest and title in lands escheated to the State."

Assembly, "An act to release the right, title and interest of the people of the State of New York in and to certain real estate in the city of New York to Julia A. Cosby, widow, and John E. Cosby, Colbert M. Cosby and Heintzelmann B. Cosby, heirs at law of Edmund Cosby, deceased."

"An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above-mentioned acts."

After some time spent therein, the President resumed the chair, and Mr. Fox, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Fox, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Robertson, the Senate adjourned.

TUESDAY, APRIL 13, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Cole presented a remonstrance of citizens of Leroy, Genesee county, against the act authorizing the exchange of the first mortgage bonds of the Rochester and State Line Railway; which was read and referred to the committee of the whole.

Mr. Gross presented a petition of Walter Bauendahl and Leonard J. Stiastuy, for relief; which was read and referred to the committee on the judiciary.

Mr. Lowery presented a petition of supervisors, aldermen and citizens of Utica relative to amendment of the charter of said city; which was read and referred to the committee on the affairs of cities.

Mr. Cole presented a petition of merchants and members of the New York Produce Exchange for reduction of tolls upon the canals; which was read and referred to the committee on the canals.

Mr. Woodin, Mr. Wagner and Mr. Lowery presented petitions upon the same subject from citizens of Wayne county, Montgomery county and Oneida county; which were read and referred to the committee on canals.

Mr. Robertson moved that the bill entitled "An act to carry into effect the command of section 7 of article 10 of the Constitution, by providing for the removal of certain officers therein mentioned, and for filling the vacancies created by such removal," be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution, in the words following:

Resolved (if the Senate concur), That the Senate and Assembly will adjourn *sine die* on Friday, the 23d inst., at 12 o'clock, noon.

Ordered, That said resolution be laid upon the table.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black Lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburg,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868 and chapter 360 of the Laws of 1871," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to amend, revise and consolidate the laws in relation to the village of Seneca Falls.'"

"An act relative to the care and education of deaf-mutes."

"An act to enlarge the board of education in Union Free School district No. 6, in the town of Northfield, in the county of Richmond, and to change the name of said district, and to authorize said board of education to sell and convey to the purchaser thereof the present school-house and site, and also to purchase a new site for a school-house in said district, and to erect thereupon a new school-house, and to provide for the raising of money therefor."

"An act to amend the act entitled 'An act to provide for supplying the city of Hudson with pure and wholesome water,' passed May 7, 1873."

"An act to amend an act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park in or outside of the city of Binghamton, and lay out the same,' passed April 6, 1874."

"An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above mentioned acts."

"An act to amend an act entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' passed April 6, 1872."

"An act to amend an act entitled 'An act to facilitate the forming of agricultural and horticultural societies,' passed April 13, 1855."

"An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, the Buffalo State Asylum for the Insane, and the Reformatory at Elmira."

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the marine court of the city of New York,' passed May 22, 1874," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act in relation to the marine court of the city of New York," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Avon, New York, to Margaret Curran," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Albany to Samuel T. Fisher," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties," and said bill was placed on the order of third reading of bills.

Mr. Robertson, from the committee on the judiciary, to which was

referred the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in Kirkland, Oneida county, New York, to Mary Hughes, widow of James Hughes, deceased, her heirs and assigns," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance, and to regulate the sale of intoxicating liquors,'" reported in favor of the passage of the same, with amendments, the title amended so as to read "An act conferring additional powers upon boards of excise in the several towns of this State, and repealing chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance, and to regulate the sale of intoxicating liquors,'" and said bill was committed to the committee of the whole.

Mr. Madden, from the committee on railroads, to which was referred the bill entitled "An act to authorize the payment, in whole or in part, of the bonded indebtedness of any of the towns in this State created in aid of any railroad therein, and to prescribe the mode in which the people thereof shall determine the time and amount of such payment," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 178, entitled "An act to amend an act to incorporate the village of Portchester," for amendment.

On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

Also the following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 180, entitled "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

On motion of Mr. King, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Mutual Savings Bank of Auburn,' passed April 16, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Coe asked and obtained leave to introduce

a bill entitled "An act to regulate remedies against assessments in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to release the interest and title of the people of the State of New York in and to certain real estate in the city of New York to Walter Bauendahl and Leonard J. Stiastry," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to empower and authorize the commissioners of highways in this State to lay out a plan of avenues, streets, and roads, fix a grade for, open and improve avenues, streets, roads and sidewalks, and provide for the lighting of the same in the various towns in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Jacobs moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' passed April 6, 1872," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Jacobs	Madden	Thompson
Connelly	Johnson	Middleton	Wagner
Dickinson	King	Ray	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend, revise and consolidate the laws in relation to the village of Seneca Falls, in the county of Seneca,' passed April 20, 1874," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Jacobs	Madden	Thompson
Connelly	Johnson	Middleton	Wagner
Dickinson	King	Ray	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Selkreg moved that the Senate bill entitled "An act in relation to railroad corporations," be recommitted to the committee on railroads, retaining its place on order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to provide for the construction of an armory and rifle range at Sing Sing, in the county of Westchester," having been announced for a third reading,

On motion of Mr. Johnson, and by unanimous consent, said bill was amended as follows:

Section 4, line 2, strike out the word "the," and insert the word "such."

Same section, line 3, after the word "prison," insert the words "not employed on contract."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Coe	Jacobs	Madden	Thompson
Cole	Johnson	McGowan	Wagner
Connelly	King	Middleton	Wood
Dickinson	Laning	Ray	Woodin
Dow	Lord	Robertson	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to facilitate the forming of agricultural and horticultural societies,' passed April 13, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Coe	Jacobs	McGowan	Thompson
Cole	Johnson	Middleton	Wagner
Connelly	King	Ray	Wood
Dickinson	Laning	Robertson	Woodin
Fox	Lord		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act to authorize the common council of the city of Binghamton, to purchase land for a cemetery and public park, in or outside of the city of Binghamton, and to lay out the same, passed April 8, 1874," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Coe	Jacobs	Madden	Thompson
Cole	Johnson	McGowan	Tobey
Connelly	King	Middleton	Wagner
Dickinson	Laning	Ray	Wood
Dow	Lord	Robertson	Woodin

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above-mentioned acts," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Selkreg
Coe	Gross	McGowan	Thompson
Cole	Jacobs	Middleton	Tobey
Connelly	Johnson	Ray	Wood
Dickinson	King	Robertson	Woodin

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to permit the New Jersey and New York Railway Company to continue their road from Haverstraw into Orange and Ulster counties," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg
Coe	Gross	McGowan	Tobey
Cole	King	Middleton	Wagner
Connelly	Laning	Ray	Wood
Dickinson	Lord	Robertson	Woodin

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 619 of the Laws of 1873, entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same over the Kill von Kull, at a point or point between the village of New Brighton, Richmond county, and at a point or points at or near Constable Point, in the State of New Jersey, and at a point or

points over Arthur Kill or Staten Island sound, between the town of Westfield, Richmond county and Middlesex county in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	King	Middleton	Tobey
Cole	Laning	Ray	Wagner
Connelly	Lowery	Robertson	Wood
Dow	Madden	Selkreg	Woodin
Jacobs	McGowan		

18

FOR THE NEGATIVE.

Booth	Gross	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the first day of October, 1875, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Madden	Thompson
Coe	Gross	Middleton	Tobey
Cole	Jacobs	Ray	Wagner
Connelly	Johnson	Robertson	Wood
Dickinson	Laning	Selkreg	Woodin
Dow	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to amend the act entitled 'An act to provide for supplying the city of Hudson with pure and wholesome water,' passed May 7, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Johnson	Middleton	Thompson
Cole	King	Parmenter	Tobey
Connelly	Laning	Ray	Wagner
Dickinson	Lord	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Fox	McGowan		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enlarge the board of education in Union Free School district number six, in the town of Northfield, in the county of Richmond, and to change the name of said district, and to authorize said board of education to sell and convey to the purchaser thereof the present school-house and site, and also to purchase a new site for a school-house in said district, and to erect thereupon a new school-house and to provide for the raising of money therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Johnson	Middleton	Thompson
Cole	King	Parmenter	Tobey
Connelly	Laning	Ray	Wagner
Dickinson	Lord	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Jacobs			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to the care and education of deaf mutes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Middleton	Thompson
Cole	King	Parmenter	Tobey
Connelly	Laning	Ray	Wagner
Dow	Lowery	Robertson	Wood
Fox	McGowan	Selkreg	Woodin
Gross			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to release to Patrick J. Wallace as executor of Anna Hanlon, deceased, the real estate of which Edward Brown died seized," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Madden	Selkreg
Coer	Johnson	McGowan	Thompson
Cole	King	Middleton	Tobey
Connelly	Laning	Parmenter	Wagner
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin
Gross			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release the interest of the people of the State of New York to the children and the heirs of William Smith, deceased, and to enable them to take, hold, and dispose of certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE:

Coe	Jacobs	McGowan	Thompson
Cole	Johnson	Middleton	Tobey
Connelly	King	Parmenter	Wagner
Dow	Laning	Ray	Wood
Fox	Lord	Robertson	Woodin
Gross	Lowery	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to enable Ann Noble to take and hold real estate, and to release to her the interest and title in lands escheated to the State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Thompson
Coer	Jacobs	Middleton	Tobey
Cole	Johnson	Parmenter	Wagner
Connelly	King	Ray	Wood
Dow	Laning	Robertson	Woodin
Fox	Lord	Selkreg	

28

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release the right, title, and interest of the people of the State of New York in and to certain real estate in the city of New York to Amanda Sophia Cosby, widow, and John E. Cosby, Colbert M. Cosby, and Heintzelmann B. Cosby, heirs at law of Edmund Cosby, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-

thirds of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Selkreg
Coe	Jacobs	McGowan	Thompson
Cole	Johnson	Middleton	Tobey
Connelly	King	Parmenter	Wagner
Dow	Laning	Ray	Wood
Fox	Lord	Robertson	Woodin 24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Woodin moved that the order relative to the session of the Senate on Tuesday and Thursday evenings be suspended for this Tuesday evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to amend chapter 758 of the Laws of 1865, entitled 'An act to authorize the towns of Otsego, Hartwick, and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to amend chapter 290 of the Laws of 1870, entitled 'An act to incorporate the village of Oneonta, Otsego county, New York,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Dickinson asked and obtained leave to introduce a bill entitled "An act in relation to the St. Regis tribe of Indians in the county of Franklin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

The Assembly sent for concurrence the bills entitled as follows :

"An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend chapter 773 of the Laws of 1867, entitled 'An act to amend the charter of the Brooklyn Life Insurance Company,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend and supplementary to chapter 362 of the Laws of 1872, entitled 'An act to incorporate the Mutual Trust Institution of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road, so called, to the east line thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act for the prevention of adulteration of food, drink and drugs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act supplementary to act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine-salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office,' and authorizing the Commissioners of the Land office to exchange lands on said reservation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend chapter 426 of the Laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865, passed April 28, 1865,' entitled 'An act to amend an act entitled An act in relation to the compensation of the several officers of the State prisons, passed April 23, 1864,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the increase of the capital stock of the Staten Island Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend the act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburg,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, and chapter 360 of the Laws of 1871."

Mr. Robertson moved that said bill be committed to the committee of the whole and substituted for Senate bill with same title now on general order No. 278.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

"An act to amend chapter 248 of the Laws of 1872, entitled "An act to authorize the formation, establishing and maintaining of driving park and park associations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to amend chapter 496 of the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 282 of the Laws of 1854, entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize the lighting of public streets and avenues in the town of Fishkill, county of Dutchess," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of

moose, wild deer, birds and fish," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to reduce rates of ferriage on certain ferry routes between the city of New York and the seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to prevent the mutilation of shade trees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to prevent the taking of fish from Summer Hill lake, its inlet or outlet in the town of Summer Hill, in the county of Cayuga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act regulating the forfeiture of life insurance policies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend an act entitled 'An act for the relief of the surviving members of the first regiment of New York volunteers who served in the war with Mexico,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons as experts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the bill entitled "An act to authorize the supervisors of Kings county to meet deficiencies in appropriations made for the relief and support of the poor for the year 1875," with a message that they have concurred in the passage of the same, with the following amendments:

i Section 1, line 4, engrossed bill, strike out the word "made," and insert in lieu thereof the word "may."

Section 2, line 20, insert, after the word "may," the words "by a."

Same line, after the word "like," strike out the letter "a."

Section 4, line 12, strike out the word "section," and insert in lieu thereof the word "act."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Coe	Fox	McGowan	Selkreg
Cole	Gross	Middleton	Wagner
Connelly	Jacobs	Parmenter	Wood
Dickinson	King	Ray	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to regulate the sale

of baled hay and straw in the State of New York," with a message that they had concurred in the passage thereof, with the following amendment:

Section 2, line 6, engrossed bill, strike out the word "ten" and insert "five."

Section 3, line 4, after the word "of a," insert the words "misdemeanor or."

At the end of the same section, add the words "and the costs of the proceedings, and stand committed until said fine is paid."

Strike out all after the word "effect," in section 4, and insert in lieu thereof the word "immediately."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Coe	Fox	McGowan	Selkreg
Cole	Gross	Middleton	Wagner
Connelly	King	Parmenter	Wood
Dickinson	Laning	Ray	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend chapter 37 of the Laws of 1848, entitled 'An act to authorize the formation of gas-light companies,'" with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, lines 1 and 2, engrossed bill, strike out the words "an act," and insert in lieu thereof the words "chapter 37 of the Laws of 1848."

After the word "companies," same section, line 3, strike out remainder of the line, and all of line 4, except the word "is."

Amend the title by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 37 of the Laws of 1848."

Also, strike out of said title, all after the word "companies."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Coe	Fox	McGowan	Selkreg
Cole	Gross	Middleton	Wagner
Connelly	King	Parmenter	Wood
Dickinson	Lord	Ray	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses, relative to the Senate bill entitled "An act to amend chapter 671 of the Laws of 1854, entitled 'An act to establish regulations for the port of New York,'" having met and duly considered the same, have agreed to the amendments made by the Assembly except as to the words "one

mile east of Sands," in line 11, and in lieu thereof have agreed to restore in their stead the words "or below Throggs."

JOHN A. KING,
A. P. LANING,
JAMES W. BOOTH,
Senate Committee.

F. W. VOSBURGH,
JNO. W. SMITH,
W. H. CHRISTOPHER,
HY. J. DAGGETT,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Ray	
Cole	Jacobs	Madden	Robertson	
Connelly	King	McGowan	Selkreg	
Dickinson	Laning	Middleton	Thompson	
Dow	Lord	Parmenter	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference thereon.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to amend an act entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate public hydrants in said city, and providing for the appointment of water commissioners in said city,' passed June 25, 1873."

"An act to amend an act giving the consent of the State of New York to the purchase by the United States of certain property in the counties of Queens and Richmond, and to cede to the United States the jurisdiction thereof, passed April 15, 1857."

"An act to appoint a reporter of the decisions of the supreme court."

"An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto, respectively:

"An act to provide for the better care of pauper and destitute children."

"An act to reappropriate moneys for construction of new work upon and extraordinary repairs of the canals of this State, and for payment of awards made by the canal appraisers."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the concurrent resolutions calling from the Governor Senate bill No. 157, amending the act incorporating the village of Jamaica into a separate school district, and the bill amending the act revising and consolidating the several acts relative to the village of Greenbush, with a message that they had concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Dow moved that the Assembly bill entitled "An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

By unanimous consent, Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize and require the New York Elevated Railroad Company to continue and complete its railroad in the city of New York, and to regulate the construction, operation, and management thereof."

"An act to amend the act relating to the assessment of real property in the several towns or wards of the State."

Assembly, "An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company."

After some time spent therein, the President resumed the chair, and Mr. Lowery, from said committee, reported progress on the first and second named bills, and asked and obtained leave to sit again.

Mr. Lowery, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Lord moved that the Assembly bill entitled "An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to further improve the discipline of the State prisons of this State."

Assembly, "An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents."

Assembly, "An act relating to the stock of the Delhi and Middletown Railroad Company owned by the town of Andes, Delaware county."

After some time spent therein the President resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of the first named bill, with amendments, the title thereof amended so as to read "An act in relation to the State prisons and penitentiaries of this State," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Connelly, from the same committee, reported in favor of the passage of the second and last named bills, with amendments, which report was agreed to, and said bills ordered to a third reading.

A message was received from His Excellency the Governor, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April, 13, 1875.

To the Senate:

In accordance with a joint resolution of the Senate and Assembly, I have the honor to return herewith Senate bill No. 157, entitled "An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein,' for amendment.

SAMUEL J. TILDEN.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg
Coe	Johnson	Middleton	Thompson
Cole	King	Parmenter	Wagner
Connelly	Lord	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow			

21

On motion of Mr. King, and by unanimous consent, said bill was amended as follows:

Section 1, engrossed bill, strike out all after the words "Section 1," in line 1, down to and including the words "section 8," in line 6.

Line 6, strike out the word "said."

Same line, after the word "education," insert the words "of the village of Jamaica."

Section 2, line 1, strike out the words "said act, passed July eighteenth," and insert in lieu thereof the words "chapter 533 of the Laws of."

Amend the title so as to read as follows:

"An act relating to the common schools in the village of Jamaica, in the county of Queens."

The President put the question whether the Senate would agree to the final passage of said bill, as amended and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg
Coe	Johnson	Middleton	Thompson
Cole	King	Parmenter	Wagner
Connelly	Lord	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April, 18, 1875. }

To the Senate :

In accordance with a joint resolution of the Senate and Assembly, I have the honor to return herewith Senate bill No. 62, entitled "An act to amend an act entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871," for amendment.

SAMUEL J. TILDEN.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg
Coe	Johnson	Middleton	Thompson
Cole	King	Parmenter	Wagner
Connelly	Lord	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow			

21

On motion of Mr. Parmenter, and by unanimous consent, the bill was amended as follows :

Section 2, line 1, engrossed bill, strike out the words "section 23," and insert in lieu thereof the words "subdivision 23 of section 3."

Same section, line 2, strike out the word "two," and insert the word "three."

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg
Coe	Johnson	Middleton	Thompson
Cole	King	Parmenter	Wagner
Connelly	Lord	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

Mr. Dow, from the committee on Indian affairs, to which was referred the bill entitled "An act in relation to the St. Regis' tribe of Indians, in the county of Franklin," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *April 13, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act in relation to railroad corporations."

The vote on the final passage of said bill having been reconsidered, on motion of Mr. Alvord, and by unanimous consent, the same was amended by striking out the second section.

And as amended passed, and ordered sent to the Senate for concurrence.

By order,

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Coe	Gross	McGowan	Selkreg	
Cole	Johnson	Middleton	Thompson	
Connelly	King	Parmenter	Wagner	
Dickinson	Lord	Ray	Wood	
Dow	Lowery	Robertson	Woodin	20

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg	
Coe	Johnson	Middleton	Thompson	
Cole	King	Parmenter	Wagner	
Connelly	Lord	Ray	Wood	
Dow	Lowery	Robertson	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act in relation to the county treasurer of Monroe county."

"An act to define and limit the liens of contractors, laborers and others, upon real estate in the city and county of New York."

"An act authorizing the common council of the city of Poughkeepsie to sell and convey certain real estate owned by said city."

After some time spent therein the President resumed the chair, and Mr. Wood, from said committee, reported in favor of the passage of the first named bill, with amendments, the title amended by adding thereto the counties of Seneca, Ontario, Yates, Westchester, Rockland, Putnam, Dutchess and Columbia," which report was agreed to, and said bill ordered, engrossed for a third reading.

Mr. Wood from the same committee, reported in favor of the passage of the second named bill, with amendments, the title amended by striking out the words "laborers," and inserting at the end thereof the

words "and provide for the enforcement thereof," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Wood, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Johnson, the Senate adjourned.

WEDNESDAY, APRIL 14, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Cole presented a petition of citizens of Orleans county for reduction of tolls on the canals; which was read and referred to the committee on canals.

The President presented a petition of citizens of this State for reduction of tolls on the canals; which was read and referred to the committee on the canals.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the State prisons and penitentiaries of this State."

"An act to define and limit the liens of contractors and others upon real estate in the city and county of New York, and to provide for the enforcement thereof."

"An act authorizing the common council of the city of Poughkeepsie to sell and convey certain real estate owned by said city."

Also the following as correctly re-engrossed:

"An act to authorize the supervisors of Kings county to meet deficiencies in the appropriations made for the relief and support of the poor for the year 1875."

"An act to amend chapter 37 of the Laws of 1848, entitled 'An act to authorize the formation of gas-light companies.'"

"An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857."

"An act to regulate the sale of baled hay and straw in the State of New York."

Mr. Robertson, from the committee on the judiciary, to which was recommitted the bill entitled "An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson moved that said bill be made a special order for this morning under the order of business of "special orders."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 476 of the

Laws of 1859, entitled 'An act to supply vacancies in the office of justices of the peace of the several towns of this State,' reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the recording of certain decrees in partition suits now remaining on file in the office of the clerk of Onondaga county, and for the alphabetical indexing of certain records of deeds and mortgages in the office of said clerk," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend chapter 836 of the Laws of 1872, entitled "An act to regulate places of public amusement in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue, in said city, and to contract with Isaac Holloway for such work," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the city of Elmira to borrow money and issue bonds of the city therefor in payment of the floating debt of said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the city of Utica to provide a building for fire department purposes, and borrow and disburse money to pay for the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the Troy water-works,' passed March 19, 1855," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled 'An act in relation to the erection of the courthouse in the third judicial district of the city of New York,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to repeal an act entitled 'An act to further provide for the rebuilding and repairing of sewers in the city of New York,' passed March 29, 1871," reported in favor of the passage

of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act relative to claims and legal proceedings against the mayor, aldermen and commonalty of the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act in relation to regulating, grading and otherwise improving streets, roads and avenues in the city of New York, and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and in relation to opening streets, avenues, roads or public parks and places in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871; and also to amend an act to re-enact and amend the same, passed April 6, 1871," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to repeal section 5 of an act entitled 'An act to extend the distribution of Croton water through the city of New York, and to lay necessary mains to deliver it at higher elevations; and also to provide for the expense of water-meters,' passed March 29, 1871," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to regulate remedies against assessments in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act in relation to the court of special sessions of the peace in and for the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the following entitled bills, with a message that they had reconsidered the vote on the final passage thereof, and had concurred in the passage of the same, as amended:

"An act to amend an act entitled 'An act amending, revising, and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871."

"An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein,' and also an act amendatory thereof, known as chapter 867 of the Laws of 1867."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the resolution permitting posts of the Grand Army of the Republic, in the city of Albany, to use certain flags in the Bureau of Military Statistics, with a message that they had concurred in the passage of the same.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That the officers and soldiers of the late 19th Independent Battery of Artillery, New York State Volunteers, be allowed the use of the flag of that organization from the Bureau of Military Statistics, Albany, on the 16th, 17th and 18th days of June, 1875, the anniversary of their discharge from the United States service.

On motion of Mr. Jacobs, and by unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

By unanimous consent, Mr. Thompson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of New Berlin, in Chenango county,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent, Mr. Connelly asked and obtained leave to introduce a bill entitled "An act to prevent fishing within three years in the waters of Lawson's and McCulloch's lake in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Connelly asked and obtained leave to introduce a bill entitled "An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to provide for the construction, maintenance and operation of local railroads in cities, towns and villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Dickinson asked and obtained leave to introduce a bill entitled "An act to provide for the building of a town-house in the town of Fort Covington, in the county of Franklin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Thompson asked and obtained leave to introduce a bill entitled "An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Kellogg asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

The bill entitled "An act authorizing the common council of the city

of Poughkeepsie to sell and convey certain real estate owned by said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	McGowan	Thompson
Cole	King	Middleton	Tobey
Connelly	Ledwith	Ray	Wagner
Dow	Lord	Robertson	Wellman
Fox	Lowery	Selkreg	Woodin
Gross			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act relating to the stock of the Delhi and Middletown Railroad Company owned by the town of Andes, Delaware county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Thompson
Cole	Jacobs	McGowan	Tobey
Connelly	King	Middleton	Wagner
Dickinson	Laning	Ray	Wellman
Dow	Ledwith	Robertson	Woodin
Fox	Lord	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Selkreg
Cole	Jacobs	Madden	Wagner
Dow	King	Ray	Woodin
Fox	Laning	Robertson	

15

FOR THE NEGATIVE.

Connelly	Johnson	Lowery	Middleton
Dickinson	Lord	McGowan	Tobey

8

Mr. Madden moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company," having been announced for a third reading,

Mr. Cole moved that said bill be recommitted to the committee on railroads, with instructions to amend so as to except the town of Leroy from the provisions of the bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Ray
Connelly	Johnson	Madden	Wagner
Dickinson	Laning	McGowan	Wellman
Dow	Ledwith	Middleton	Woodin
Fox	Lord		

18

FOR THE NEGATIVE

Cole	King	Selkreg	Tobey
Gross	Robertson		

6

Ordered. That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act relative to expenditures by the departments, officers and branches of the local government of the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act to provide for the incorporation of religious societies," passed April 5, 1813," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend chapter 26 of the Laws of 1874, entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith for the use of the Methodist Episcopal Church,'" reported in favor of the passage of the same and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act for the incorporation of societies for the prevention of cruelty to children," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act supplementary

to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole

The Assembly bill entitled "An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Selkreg
Cole	Johnson	Madden	Tobey
Connelly	Kellogg	Middleton	Wagner
Dow	Laning	Ray	Wellman
Gross	Lord	Robertson	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to define and limit the liens of contractors, and others, upon real estate in the city and county of New York," and provide for the enforcement thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	Lord	Robertson
Connelly	Kellogg	Lowery	Tobey
Dickinson	King	Madden	Wagner
Dow	Laning	McGowan	Wellman
Gross	Ledwith	Middleton	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Hudson River State Hospital for the Insane, at Poughkeepsie; the State Homœopathic Asylum for the Insane, at Middletown; the Buffalo State Asylum for the Insane, and the State Reformatory, at Elmira," having been announced for a third reading,

Mr. Laning moved that said bill be recommitted to the committee on finance, with instructions to amend the same by fixing the salary of the superintendents therein named at \$3,000 per annum.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cole	Johnson	Lord	Selkreg
Dow	Laning	Robertson	Woodin
			8

FOR THE NEGATIVE.

Booth	Gross	Ledwith	Ray	
Connelly	Jacobs	Lowery	Wagner	
Dayton	Kellogg	Madden	Wellman	
Dickinson	King			14

Mr. Laning moved that said bill be recommitted to the committee on finance, with instructions to fix the salary of the superintendent of the asylum at Buffalo at \$3,000 per annum.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Cole	Gross	Laning	Selkreg	
Connelly	Jacobs	Lord	Wagner	
Dayton	Johnson	Lowery	Wellman	
Dickinson	Kellogg	Robertson	Woodin	
Dow				17

FOR THE NEGATIVE.

Booth	King	Madden	Ray	4
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Mr. Woodin moved that the committee be further instructed to fix the salary of the superintendent of the asylum at Middletown at \$3,000 per annum.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin moved that the committee be further instructed to fix the salary of the superintendent of the State Hospital at Poughkeepsie at \$3,000 per annum.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Selkreg	
Cole	Johnson	Lord	Woodin	8

FOR THE NEGATIVE.

Connelly	Jacobs	Lowery	Robertson	
Dayton	Kellogg	Madden	Wagner	
Dickinson	King	McGowan	Wellman	
Gross	Ledwith	Ray		15

Mr. Johnson moved that said committee be further instructed to fix the salary of the Superintendent of the State Reformatory at Elmira at \$3,000 per annum.

The President then put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cole	Johnson	Lord	Woodin	
Dow	Laning	Selkreg		7

FOR THE NEGATIVE.

Booth	Gross	Lowery	Robertson	
Connelly	Jacobs	Madden	Wagner	
Dayton	King	Ray	Wellman	
Dickinson	Ledwith			14

The bill entitled "An act in relation to the county treasurer of the counties of Monroe, Seneca, Ontario, Yates, Westchester, Rockland, Putnam, Dutchess and Columbia," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Johnson	Lord	Robertson
Dayton	King	Lowery	Tobey
Gross	Laning	Middleton	Wagner
Jacobs	Ledwith	Ray	15

FOR THE NEGATIVE.

Dickinson	Dow	Madden	Woodin	4
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Mr. Lord moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The bill entitled "An act in relation to the State prisons and penitentiaries of this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Middleton	Tobey
Connelly	Kellogg	Parmenter	Wagner
Dayton	Laning	Ray	Wellman
Dickinson	Ledwith	Thompson	Woodin
Dow			17

FOR THE NEGATIVE.

Jacobs	Lowery	McGowan	Selkreg
Johnson	Madden		6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Dayton offered the following :

Resolved (if the Assembly concur), that the Posts of the Grand Army of the Republic of the city of Albany, be allowed the use of regimental flags of Albany regiments from the Military Bureau, on the annual Decoration Day of this year.

On motion of Mr. Dayton, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended; and the Clerk ordered to deliver said resolution to the Assembly immediately, and request their concurrence therein.

Mr. Jacobs moved that the bill entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the

management of the asylum for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874," be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Madden moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties," was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Selkreg
Coe	King	Middleton	Thompson
Dayton	Laning	Moore	Tobey
Dickinson	Ledwith	Ray	Wagner
Fox	Lowery	Robertson	19

FOR THE NEGATIVE.

McGowan	1
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The President then put the question whether the Senate would agree to final passage of said bill, and it was decided in the negative, a quorum not being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dayton	Gross	Moore
Coe	Dow	King	Tobey
Cole	Fox	Middleton	11

FOR THE NEGATIVE.

Dickinson	Jacobs	Johnson	3
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Ordered, That said bill be laid upon the table.

On motion of Mr. Johnson, the Clerk called the roll, when the following Senators answered to their names :

Booth	Fox	Lowery	Selkreg
Coe	Gross	Madden	Thompson
Cole	Jacobs	McGowan	Tobey
Connelly	Johnson	Middleton	Wagner
Dayton	Kellogg	Moore	Wellman
Dickinson	King	Ray	Woodin
Dow	Laning	Robertson	27

Mr. Madden offered the following :

Resolved, (if the Assembly concur), That section 3 of article 5 of the Constitution be amended so as to read as follows :

"Section 3. A Superintendent of Public Works shall be appointed by the Governor, by and with the advice and consent of the Senate, and hold his office until the end of the term of the Governor by whom he was nominated, and until his successor is appointed and qualified. He shall receive a compensation to be fixed by law. He shall be required by law

to give security for the faithful execution of his office before entering upon the duties thereof. He shall be charged with the execution of all laws relating to the repair and navigation of the canals, and also of those relating to the construction and improvement of the canals, except so far as the execution of the laws relating to such construction or improvement shall be confided to the State Engineer and Surveyor, subject to the control of the Legislature. He shall make the rules and regulations for the navigation or use of the canals. He may be suspended or removed from office by the Governor whenever, in his judgment, the public interest shall so require; but in case of the removal of such Superintendent of Public Works from office, the Governor shall file with the Secretary of State a statement of the cause of such removal, and shall report such removal, and the cause thereof, to the Legislature at its next session.

"The Superintendent of Public Works shall appoint not more than three assistant superintendents, whose duties shall be prescribed by him, subject to modification by the Legislature, and who shall receive for their services a compensation to be fixed by law. They shall hold their office for three years, subject to suspension or removal by the Superintendent of Public Works whenever, in his judgment, the public interest shall so require. Any vacancy in the office of any such assistant superintendent shall be filled for the remainder of the term for which he was appointed by the Superintendent of Public Works; but in case of the suspension or removal of any such assistant superintendent by him he shall at once report to the Governor, in writing, the cause of such removal. All other persons employed in the care and management of the canals, except collectors of tolls, and those in the department of the State Engineer and Surveyor, shall be appointed by the Superintendent of Public Works, and be subject to suspension or removal by him.

"The office of Canal Commissioner is abolished, from and after the appointment and qualification of the Superintendent of Public Works, until which time the Canal Commissioners shall continue to discharge their duties as now provided by law. The Superintendent of Public Works shall perform all the duties of the Canal Commissioners and Board of Canal Commissioners, as now declared by law, until otherwise provided by the Legislature.

"The Governor, by and with the advice and consent of the Senate, shall have power to fill vacancies in the office of Superintendent of Public Works; if the Senate be not in session, he may grant commissions which shall expire at the end of the next succeeding session of the Senate."

Resolved (if the Assembly concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity with section one of article thirteen of the Constitution it be published for three months previous to the time of such election.

Ordered, That said resolutions be laid upon the table.

Mr. Madden moved that said resolution be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Madden offered the following:

Resolved (if the Assembly concur), That section 4 of article 5 of the Constitution be amended so as to read as follows:

"Section 4. A Superintendent of State Prisons shall be appointed by the Governor, by and with the advice and consent of the Senate, and

hold his office for five years, unless sooner removed; he shall give security in such amount and with such sureties as shall be required by law for the faithful discharge of his duties; he shall have the superintendence, management and control of the State prisons, subject to such laws as now exist or may hereafter be enacted; he shall appoint the agents, wardens, physicians and chaplains of the prisons. The agent and warden of each prison shall appoint all other officers of such prison, except the clerk, subject to the approval of the same by the Superintendent. The Comptroller shall appoint the clerks of the prisons. The Superintendent shall have all the powers and perform all the duties not inconsistent herewith, which have heretofore been had and performed by the Inspectors of State Prisons; and from and after the time when such Superintendent of State Prisons shall have been appointed and qualified, the office of Inspector of State Prisons shall be and hereby is abolished. The Governor may remove the Superintendent for cause at any time, giving to him a copy of the charges against him, and an opportunity to be heard in his defense."

Resolved (if the Assembly concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity with section 1 of article 13 of the Constitution it be published for thirteen months previous to the time of such election.

Ordered, That said resolution be laid upon the table.

Mr. Madden moved that said resolution be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gross moved that a session of the Senate be held this evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Connelly	Fox	Madden	Moore	
Dickinson	Gross	McGowan	Robertson	
Dow	Jacobs	Middleton	Woodin	12

FOR THE NEGATIVE.

Booth	Johnson	Lowery	Thompson	
Coe	Kellogg	Parmenter	Tobey	
Cole	King	Ray	Wellman	
Dayton	Laning	Selkreg		15

By unanimous consent, Mr. Lowery, from the committee on banks, to which was referred the bill entitled "An act to amend an act to incorporate the Mutual Savings Bank of Auburn, passed April 16, 1864," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled 'An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Tobey, from the committee on insurance,

to which was referred the Assembly bill entitled "An act to amend section 9 of chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Johnson moved that said bill be recommitted to the committee on banks, with instructions to report in favor of or adversely to said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

By unanimous consent, Mr. Middleton, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to prevent the mutilation of shade trees," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Middleton, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Middleton, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to amend chapter 248 of the Laws of 1872, entitled 'An act to authorize the formation, establishing and maintaining of driving park and park associations,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the bill entitled as follows :

"An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal."

After some time spent therein the President resumed the chair, and Mr. King, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. Laning moved that the further consideration of said bill be made a special order for to-morrow morning, immediately after reading the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend an act entitled 'An act in relation to orphan asylum societies at Brooklyn,' passed March 7, 1848."

"An act to regulate the supply of stationery for the officers and reporters of the Legislature."

"An act to release the right, title, and interest of the people of the State of New York in and to certain real estate, of which James Gillen died seized to Elizabeth Ryall, late widow of the said James Gillen, deceased, and now wife of Christopher Ryall."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the

first and second named bills, with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Laning moved that the Assembly bill entitled "An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue, in said city, and to contract with Isaac Holloway for such work," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue, in said city, and to contract with Isaac Holloway for such work."

"An act to amend an act entitled 'An act in relation to the salary of the supervisors of Albany county,' passed May 8, 1871."

"An act to change the name of the village of Potsdam Junction, in the town of Potsdam, in the county of St. Lawrence, to Baldwin."

After some time spent therein the President resumed the chair, and Mr. Parmenter, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Parmenter, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Parmenter, from the same committee, reported in favor of the passage of the last named bill, with amendments, the title amended by striking out the word "Baldwin," and inserting in lieu thereof "Norwood," which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Dow, the Senate adjourned.

THURSDAY, APRIL 15, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Booth presented a memorial of the comptroller of the city of New York relative to taxation; which was read and referred to the committee on finance.

Mr. Laning presented a petition of citizens of the State of New York for a reduction of tolls upon the canals; which was read and referred to the committee on canals.

Mr. Lowery presented a petition of citizens of Oneida county for a reduction of tolls upon the canals; which was read and referred to the committee on canals.

Mr. Gross presented a remonstrance of citizens of New York against the authorization of life and other insurance companies loaning money out of this State; which was read and committed to the committee of the whole.

Mr. King presented a remonstrance of the Ship Owners' Association against the proposed increase of "head-money;" which was read and referred to the committee on commerce and navigation.

Mr. Jacobs moved that the consideration of the special order be postponed until the conclusion of the regular order of business.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend an act entitled 'An act in relation to orphan asylum societies at Brooklyn,' passed March 7, 1848."

"An act to amend an act entitled 'An act in relation to the salary of the supervisors of Albany county,' passed May 3, 1871."

"An act to change the name of the village of Potsdam Junction, in the town of Potsdam, in the county of St. Lawrence, to Norwood."

"An act to regulate the supply of stationery for the officers and reporters of the Legislature."

"An act to release the right, title and interest of the people of the State of New York in and to certain real estate of which James Gillen died seized, to Elizabeth Ryall, late widow of the said James Gillen, deceased, and now wife of Christopher Ryall."

Also the following correctly re-engrossed:

"An act to amend an act entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871."

"An act relating to the common schools in the village of Jamaica, in the county of Queens."

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to coroners' fees and post-mortem examinations in Erie county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the annual town meeting held at the Salem Hotel, in the town of Salem, county of Washington, the election resolutions and proceedings by said meeting, and all acts and proceedings in pursuance thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal chapter 309 of the Laws of 1853, entitled 'An act relative to the common lands in the town of North Hempstead, county of Queens,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the bill entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the the State relating to the care and custody of the insane, the management of the asylum for their treatment and safe-keeping, and the duties of the

State Commissioner in Lunacy,' passed May 12, 1874," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 496 of the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to extend the authority of the supreme court in proceedings by writ of mandamus to correct errors in the determination of boards of county canvassers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to release the interest and title of the people of the State of New York in and to certain real estate in the city of New York to Walter Bauendahl and Leonard J. Stiasky," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to provide for the building of a town house in the town of Fort Covington, in the county of Franklin," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to prevent fishing within three years in the waters of Lawson's and McCulloch's lake, in the county of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act for the protection of fish in Hoffman pond, in Claverack, Columbia county, also in Round lake Saratoga county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the

Laws of 1871, entitled "An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act further to amend section 28 of chapter 721 of the Laws of 1871, entitled "An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to authorize the lighting of public streets and avenues in the town of Fishkill, county of Dutchess," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to prevent the taking of fish from Summer Hill lake, its inlet or outlet, in the town of Summer Hill, in the county of Cayuga," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to authorize the Buffalo and Grand Island Company to increase its capital stock," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to extend the boundaries of the city of Utica westerly," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road (so called) to the east line thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Cole, from a majority of the committee on canals, to which was recommitted the bill entitled "An act creating the office of inspector of public works, and providing for his appointment and compensation," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to reduce rates of ferriage on certain ferry routes between the city of New York and the Seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. King, from the special committee appointed by the Senate to investigate certain charges relative to the salary of the Superintendent of the New Capitol, alleged to have been improperly inserted in the supply bill of 1874, presented a majority report thereon.

Mr. Woodin moved that said report be laid upon the table and printed, together with the testimony taken in the case.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(*See Doc. No. 79.*)

Mr. Parmenter, from the same committee, presented a minority report upon the same subject.

Mr. Woodin moved that said report be laid upon the table and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(*See Doc. No. 80.*)

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize a tax of one-fifth of a mill per dollar of valuation for the payment of the awards of the Canal Appraisers of the Canal Board and of the Board of Canal Commissioners, and to pay certificates of indebtedness on interest now outstanding," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to provide for the appointment of a commission to investigate, consider and report upon the disposition to be made of the lateral canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the canals.

"An act in relation to the canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the canals.

"An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to legalize the official acts of the trustees of the village of Canton during the years 1874 and 1875, in selling the old engine house property, in purchasing another lot and erecting a new engine house thereon, in making and issuing the certificates of indebtedness of said village, and in raising money thereon to pay for said lot and building, and to legalize the vote and action of the electors of said village in that behalf," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

A message from the Assembly was received and read, as follows:

IN ASSEMBLY, April 15, 1875.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chap-

ter 127 of the Laws of 1859, entitled "An act to increase the number of coroners in Queens county."

The vote on the final passage of said bill having been reconsidered, on motion of Mr. Oakley, and by unanimous consent, the same was amended as follows:

"Engrossed bill, section 2, line 5, strike out after the word "elect," all of said section, and insert in lieu thereof the words "one coroner in addition to the number now allowed by law."

And as amended passed, and ordered sent to the Senate for concurrence.

By order,

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Kellogg	McGowan	Thompson
Cole	King	Middleton	Tobey
Connelly	Laning	Parmenter	Wagner
Dickinson	Ledwith	Ray	Wellman
Dow	Lord	Robertson	Wood
Fox	Lowery	Selkreg	Woodin
Gross			

25

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Tobey
Cole	Kellogg	Middleton	Wagner
Connelly	King	Robertson	Wellman
Dickinson	Laning	Selkreg	Wood
Dow	Ledwith	Thompson	Woodin
Fox	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly returned the bill entitled "An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children, on the Cattaraugus reservation, and to provide for its management and maintenance," with a message that they had concurred in the passage of the same with the following amendment:

Insert as section 6, the following:

"§ 6. The sum of six thousand dollars is hereby appropriated out of any moneys in the treasury for the support and maintenance of said institution for the current year, and there shall hereafter be annually appropriated the sum of eight thousand dollars for such support and maintenance."

Change section 6 to section 7.

Mr. Dow moved to non-concur in the amendments made by the Assembly, that a committee of conference be appointed thereon, and that the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee, Messrs. Dow, Laning and Wood.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in said amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

The Assembly returned the Assembly bill entitled "An act in relation to the powers of boards of supervisors in the several counties of the State in the election or appointment of railroad commissioners," with a message that they had non-concurred in the amendments of the Senate thereto, request a committee of conference thereon, and had appointed as such committee, on their part, Messrs. Ely, Roscoe, Holmes, Prince, and Vedder.

Mr. Gross moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Gross, Tobey, and McGowan.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon.

The Assembly sent for concurrence the following resolution :

Resolved (if the Senate concur), That the following regiments and parts of regiments and batteries of Oswego county be allowed the privilege, and are hereby authorized, to take the colors of said regiments and batteries from their place of deposit to Oswego county the coming summer to be used at their annual reunion; provided that one of the members of Assembly of Oswego county, or some one whom he shall designate, shall receive said colors from the department and return them thereto, subject to such restrictions as the Adjutant-General may prescribe. Regiments and batteries Twenty-fourth New York Cavalry, Ames' Battery, Twenty-fourth, Eighty-first, One Hundred and Tenth, One Hundred and Forty-seventh, One Hundred and Eighty-fourth, and One Hundred and Eighty-ninth New York Volunteer Infantry.

On motion of Mr. Kellogg, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto, respectively :

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1875."

"An act to enable Ann Noble to take and hold real estate, and to release to her the interest and title in lands escheated to the State."

"An act to release the right, title and interest of the people of the State of New York in and to certain real estate in the city of New York to Julia A. Cosby, widow, and John E. Cosby, Colbert M. Cosby and Heintzelmann B. Cosby, heirs at law of Edmund Cosby, deceased."

"An act to amend chapter 619 of the Laws of 1873, entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same over the Kill von Kull, at a point or point between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points over Arthur Kill or Staten Island sound, between the town of Westfield, Richmond county and Middlesex county in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the bill entitled "An act to amend part 3 chapter 9, title 1, article 2, of the Revised Statutes, relating to the writ of habeas corpus," with a message that they had non-concurred in the passage thereof.

The Assembly returned the bills entitled as follows :

"An act to regulate the sale of baled hay and straw in the State of New York."

"An act to amend chapter 37 of the Laws of 1848, entitled 'An act, to authorize the formation of gas-light companies.'"

"An act to authorize the supervisors of Kings county to meet deficiencies in the appropriations made for the relief and support of the poor for the year 1875."

"An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 131, entitled "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," for amendment.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to fix the salaries of certain State officers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide for the care of the lands and buildings known as Washington's Headquarters, in the city of Newburgh, and the property connected therewith," passed May 11, 1874; chapter 426," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act supplementary to act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine-salt lots on the Onondaga Salt Springs reservation by the Commissioners of the Land Office,'" and authorizing the Commissioners the Land office to exchange lands on said reservation," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act changing the time of holding the circuit courts and courts of oyer and terminer in the county of Essex," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act relative to taxation and appropriations in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act authorizing the improvement of Delaware street, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to authorize the board of police of the city of New York to grant new trials," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act in relation to the jurisdiction of the marine court of the city of New York, and to the judges of said court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Lord asked and obtained leave to introduce a bill entitled "An act to fix the rates of fare upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Rochester to the grounds of the Western New York Agricultural and Mechanical Driving Park Association in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Wood, from the committee on finance, to which was recommitted the bill entitled "An act in relation to the Hudson River State Hospital for the Insane, at Poughkeepsie; the State Homœopathic Asylum for the Insane, at Middletown; the Buffalo State Asylum for the Insane, and the State Reformatory, at Elmira," reported that they have made the amendments thereto as instructed, and said bill was ordered to a third reading.

Mr. Selkreg, from the committee on railroads, to which was recommitted the bill entitled "An act in relation to railroad corporations," reported in favor of the passage of the same, and said bill was ordered to a third reading.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the Assembly bill entitled "An act to amend an act to reorganize the local government of the city of New York," passed April 30,

1873," having met and duly considered the same, have agreed to recommend that the amendments proposed by the Senate be agreed to, with the following modifications, viz. :

Instead of the words "concurrent vote," in the Senate amendment to the first line, insert the words "by a majority vote."

In the Senate amendment to line 14, strike out the word "concurrent," and insert the word "majority;" and strike out the word "three," and insert the words "two and one-half."

JACOB A. GROSS,
W. WAGNER,
Senate Committee.

JAMES DALY,
L. C. WAEHNER,
CHARLES REILLY,
Assembly Committee.

Mr. Booth moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'An act in relation to the salary of the supervisors of Albany county,' passed May 3, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Cole	Jacobs	Moore	Thompson
Connelly	King	Parmenter	Wellman
Dickinson	Laning	Ray	Wood
Dow	Ledwith	Robertson	Woodin 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue, in said city, and to contract with Isaac Holloway for such work," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Thompson
Cole	Kellogg	Moore	Tobey
Connelly	Laning	Ray	Wellman
Dickinson	Ledwith	Robertson	Wood
Gross	Lord	Selkreg	Woodin 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to change the name of the village of Potsdam Junction, in the town of Potsdam, in the county of St. Lawrence, to Norwood," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Selkreg
Cole	Kellogg	Moore	Thompson
Connelly	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin
Gross			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to railroad corporations," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	Moore	Thompson
Cole	Kellogg	Parmenter	Wellman
Dow	Lord	Ray	Wood
Gross	Middleton	Selkreg	Woodin
Jacobs			

17

FOR THE NEGATIVE.

Connelly	Laning	Lowery	Robertson
Dickinson	Ledwith		

6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release the right, title and interest of the people of the State of New York in and to certain real estate of which James Gillen died seized, to Elizabeth Ryall, late widow of the said James Gillen, deceased, and now wife of Christopher Ryall," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Selkreg
Cole	Johnson	Lowery	Thompson
Connelly	Kellogg	Middleton	Wellman
Dickinson	King	Moore	Wood
Dow	Laning	Robertson	Woodin
Gross	Ledwith		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 446 of the Laws of 1874 entitled 'An act to revise and consolidate the statutes of the State relat

ing to the care and custody of the insane, the management of the asylum for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Ray
Connelly	King	Madden	Robertson
Dickinson	Laning	Middleton	Selkreg
Dow	Ledwith	Moore	Thompson
Gross	Lord	Parmenter	Wellman
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, the Buffalo State Asylum for the Insane, and the State Reformatory at Elmira," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg
Coe	Kellogg	Middleton	Thompson
Connelly	King	Moore	Wellman
Dickinson	Laning	Ray	Wood
Dow	Ledwith	Robertson	
			19

FOR THE NEGATIVE.

Johnson	Lord	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to orphan asylum societies at Brooklyn,' passed March 7, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	Madden	Selkreg
Connelly	Kellogg	Moore	Thompson
Dickinson	King	Parmenter	Tobey
Dow	Laning	Ray	Wood
Gross	Ledwith	Robertson	Woodin
Jacobs	Lord		
			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to regulate the supply of stationery for the officers and reporters of the Legislature," having been announced for a third reading,

On motion of Mr. Wood, and by unanimous consent, said bill was amended by inserting therein the words "the clerks of the presiding officers of the Senate and Assembly."

On motion of Mr. Lowery, and by unanimous consent, said bill was amended by inserting the words "the superintendent of documents."

On motion of Mr. Booth, and by unanimous consent, said bill was amended by inserting the words "assistant postmasters."

Mr. Laning moved that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Jacobs, and by unanimous consent, the consideration of the Senate special order, being the bill entitled "An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal," was postponed until one o'clock.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to legalize and confirm the proceedings of the incorporation of the village of Canisteo, in the county of Steuben, and the election of the officers therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend chapter 290 of the Laws of 1870, entitled 'An act to incorporate the village of Oneonta, Otsego county, New York,' passed April 20, 1870," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Madden, the Assembly bill entitled "An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties," was taken from the table and read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Ray
Coe	Jacobs	Lowery	Robertson
Cole	King	Madden	Thompson
Dayton	Laning	Middleton	Tobey
Dow	Ledwith	Moore	Wellman
			20

FOR THE NEGATIVE.

Dickinson

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend chapter 436 of the Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York,' passed May 11, 1874."

Assembly, "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same."

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported that they have stricken out the enacting clause of the first named bill, and have instructed their chairman to report that fact to the Senate and request its concurrence therein.

Mr. Laning moved to disagree with the report of the committee, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dow, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Johnson moved to take from the table the motion to reconsider the vote by which the bill entitled "An act in relation to the county treasurers of the counties of Monroe, Seneca, Ontario, Yates, Westchester, Rockland, Putnam, Dutchess and Columbia," was lost.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	King	Moore	Selkreg
Cole	Laning	Parmenter	Tobey
Gross	Ledwith	Ray	Wellman
Jacobs	Lord	Robertson	Wood

17

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Johnson	Lowery	Ray
Dayton	King	McGowan	Robertson
Fox	Laning	Middleton	Tobey
Gross	Ledwith	Moore	Wellman
Jacobs	Lord	Parmenter	

19.

FOR THE NEGATIVE.

Booth
Cole
Connelly

Dickinson
Dow

Kellogg
Selkreg

Wood
Woodin

9

When the name of Mr. Cole was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the negative.

Mr. Cole subsequently voted in the negative.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Wood moved that the Senate hold an executive session at quarter before two o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Laning moved to take from the table the question of granting leave to the committee of the whole to sit again on the Assembly bill entitled "An act in relation to county treasurers."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Laning moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows :

"An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal."

After some time spent therein, the hour of quarter before two o'clock having arrived, the President resumed the chair, and announced executive session.

Mr. Laning moved that the executive session be postponed for five minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows :

"An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal."

After some time spent therein, the President resumed the chair, and Mr. King, from the same committee, reported progress on said named bill, and asked and obtained leave to sit again.

Mr. Laning moved that the further consideration of said bill be made a special order for to-morrow morning, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Cole offered the following:

Resolved, That the committee on canals have power, if they deem it necessary, to employ counsel, stenographer, and a messenger, and that the committee be authorized to take testimony in the city of New York and Buffalo upon the question of terminal charges as referred to said committee.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate went into executive session; and, after some time spent therein, the doors were opened and legislative business resumed.

Mr. Ray moved to reconsider the vote agreeing to the adverse report of the committee on commerce and navigation upon the bill entitled "An act for the incorporation of companies formed to navigate the lakes and rivers, passed April 15, 1854," and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

On motion of Mr. Gross, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 59, entitled "An act to provide for the better care of pauper and destitute children," for amendment.

On motion of Mr. Ledwith, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the following entitled bill, with a message that they had non-concurred in the passage of the same:

"An act to incorporate the West Sandlake Fire Company, in the town of Sandlake, Rensselaer county."

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to repeal chapter 419 of the Laws of 1874, entitled "An act to enable the town of Sardinia, Erie county, to

raise money to build a town hall," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Fox, and by unanimous consent, the bill entitled "An act in relation to the erection of the court-house in the third judicial district of the city of New York," was ordered to be considered in the first committee of the whole.

On motion of Mr. McGowan, and by unanimous consent, the Assembly bill entitled "An act further to amend section 28 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act in relation to the erection of the court-house in the third judicial district of the city of New York."

Assembly, "An act to authorize the New York Bowery Fire Insurance Company to elect one or more vice-presidents."

Assembly, "An act further to amend section 28 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

After some time spent therein the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Lowery, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Lowery, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Selkreg moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Fox, and by unanimous consent, the bill entitled "An act in relation to the court of special sessions of the peace in and for the city and county of New York," was ordered considered in the first committee of the whole.

On motion of Mr. Lowery, and by unanimous consent, the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in Kirkland, Oneida county, New York, to Mary Hughes, widow of James Hughes, deceased, her heirs and assigns," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act in relation to the court of special sessions of the peace in and for the city and county of New York."

Assembly, "An act to release the interest of the people of the State of New York in certain real estate in Kirkland, Oneida county, New York, to Mary Hughes, widow of James Hughes, deceased, her heirs and assigns."

Assembly, "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out of public roads and of the alteration thereof.'"

After some time spent therein the President resumed the chair, and Mr. Wood, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Fox, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Coe	Jacobs	Ledwith	Ray	
Connelly	Johnson	Lord	Selkreg	
Dow	Kellogg	Madden	Thompson	
Fox	King	McGowan	Tobey	
Gross	Laning	Middleton	Wellman	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Wood, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Middleton offered the following:

Resolved, That the committee on insurance be requested to report Assembly bill No. 134, entitled "An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" for consideration in committee of the whole.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. McGowan, and by unanimous consent, the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' passed March 8, 1865," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' passed March 8, 1865."

Assembly, "An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in foreign States and countries, and for other purposes, and to repeal chapter 308 of the Laws of 1858, and the acts amendatory thereof, together with so much of chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories,' and the acts amendatory thereof as authorizes the appointment by the Governor of this State by commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in the dominion of Canada."

Assembly, "An act to provide for the election of police justices in villages."

After some time spent therein the President resumed the chair, and Mr. Thompson, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Thompson, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Thompson, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Kellogg moved that said bill be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend the act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburg,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, and chapter 360 of the Laws of 1871."

"An act conferring additional powers upon boards of excise in the several towns of this State, and repealing chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance, and to regulate the sale of intoxicating liquors.'"

Assembly, "An act to release the interest of the people of the State of New York in certain real estate in the city of Albany to Samuel T. Fisher."

After some time spent therein, the President resumed the chair, and Mr. Tobey, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Tobey, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Tobey, from the committee on insurance, to which was referred the Assembly bill entitled "An act to amend chapter 466 of Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" reported the same to the Senate for consideration, as requested, and said bill was committed to the committee of the whole.

Mr. McGowan, from the committee on canals, to which was referred the Assembly bill entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon, and extraordinary repairs of, the canals of this State,' passed May 9, 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Johnson, and by unanimous consent, said bill was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874."

Assembly, "An act to release the interest of the people of the State of New York in certain real estate in the town of Avon, New York, to Margaret Curran."

"An act to amend chapter 592 of the Laws of 1874, entitled 'An act to incorporate the Merchants' Loan Company.'"

After some time spent therein the President resumed the chair, and Mr. Madden, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Madden, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Madden, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Elmira,' passed April 7, 1864, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

On motion of Mr. Ledwith, the Senate adjourned.

FRIDAY, APRIL 16, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Wood presented a petition of the officers of the National Guard of Syracuse for compensation in lieu of present exemption; which was read and referred to the committee on the militia.

Mr. Gross presented a petition of the Mutual Trust Institution of New York for amendments to charter; which was read and referred to the committee of the whole.

Mr. Tobey presented a petition of 265 merchants of New York and members of the Produce Exchange for reduction of tolls on the canals; which was read and referred to the committee on canals.

Mr. Booth presented a petition of owners of property assessed for an outlet of the sewer in Eightieth street; which was read and referred to the committee on the affairs of cities.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the town of Jamaica, Queens county,' passed March 26, 1873," reported in favor of

the passage of the same, with amendments, the title amended so as to read "An act to amend an act entitled 'An act to amend chapter 135 of the Laws of 1873, entitled An act to amend an act entitled An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the town of Jamaica, Queens county,'" and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to facilitate the closing up of insolvent and dissolved insurance companies," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to facilitate the distribution of the property and effects of the Eclectic Life Insurance Company," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of the grandchildren of Samuel F. Pratt, late of the city of Buffalo, deceased," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the better protection of human life at public watering or bathing places," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for and regulate the mode of admission and allowance of attorneys and counsellors coming from the courts of other States to practice in the courts of this State," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the annual town meeting held at the Salem Hotel, in the town of Salem, county of Washington, the election resolutions and proceedings by said meeting, and all acts and proceedings in pursuance thereof," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the village of New Berlin, in Chenango county,' passed April 28, 1870," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to legalize the official acts of the trustees of the village of Canton, during the years 1874 and 1875, in selling the old engine-house property, in purchasing another lot, and erecting a new engine house thereon, in making and issuing the certificates of indebtedness of said village, and in raising money thereon to pay for said lot and building, and to legalize the vote and action of the electors of said village in that behalf," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on public health, to which was referred the Assembly bill entitled "An act for the prevention of adulteration of food, drink, and drugs," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

"An act in relation to the court of special sessions of the peace in and for the city and county of New York."

"An act in relation to the erection of the court-house in the third judicial district of the city of New York."

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' passed March 8, 1865."

"An act conferring additional powers upon boards of excise in the several towns of this State, and repealing chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance, and to regulate the sale of intoxicating liquors.'"

"An act to amend chapter 592 of the Laws of 1874, entitled 'An act to incorporate the Merchants' Loan Company.'"

"An act to release the interest and title of the people of the State of New York in and to certain real estate in the city of New York, to Walter Bauendahl and Leonard J. Stiasny."

The Assembly returned the bill entitled "An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cattaraugus reservation, and to provide for its management and maintenance," with a message that they assent to a committee of conference thereon, and had appointed as such committee on their part Messrs. Hammond, T. C. Campbell, Benedict, Petty and Badger.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to provide for the construction of an armory and rifle range at Sing Sing, in the county of Westchester."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received and read, as follows:

IN ASSEMBLY, *April 14, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Schieffelin, and by unanimous consent, the same was amended as follows:

Page 3, engrossed bill, section 3, strike out the word "four," and insert in lieu thereof the word "five."

Amend the title by striking out the words "section 2 of title 4 of."

And as amended passed, and ordered sent to the Senate for concurrence.

By order,

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Selkreg	
Cole	Gross	Lowery	Thompson	
Connelly	Johnson	Parmenter	Wellman	
Dickinson	Kellogg	Ray	Wood	
Dow	King	Robertson	Woodin	20

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Thompson	
Cole	Jacobs	Parmenter	Tobey	
Connelly	Kellogg	Ray	Wellman	
Dickinson	King	Robertson	Wood	
Dow	Ledwith	Selkreg	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

Mr. Woodin offered the following :

Resolved, That a respectful message be sent to the honorable the Assembly, requesting the return to the Senate of the Senate bill No. 220, entitled "An act in relation to the court of special sessions of the peace in and for the city and county of New York."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to facilitate the distribution of the property and effects of the Pontine Life Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Lowery asked and obtained leave to introduce a bill entitled "An act to authorize the various associations and societies incorporated under the laws of the State of New York for the purpose of taking care of, and protecting destitute infant minor children, to bind out by indenture destitute children who are in their care and keeping," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to authorize the board of assessors in the city of New York to revise and correct the assessments for the outlet sewer in Eightieth street and other streets in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Wellman asked and obtained leave to introduce a bill entitled "An act to legalize the execution of a certain mort-

gage by the Belmont Manufacturing Company and the proceedings of foreclosure founded thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Wellman, from the committee on the militia, to which was referred the Assembly bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the 'Military Code,' " reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson offered the following :

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of the bill entitled "An act relative to the State prisons and penitentiaries of this State," being Senate bill No. 159.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly.

Mr. Jacobs moved that the special order, being "An act to carry into effect the command of section 7 of article 10 of the constitution, by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal," be postponed until reaching the order of business of "special orders."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin moved that the following entitled bills be considered in the first committee of the whole :

"An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871; and also to amend an act to re-enact and amend the same,' passed April 6, 1871."

"An act relative to expenditures by the departments, offices, and branches of the local government of the city of New York."

"An act in relation to regulating, grading, and otherwise improving streets, roads, and avenues in the city of New York, and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and in relation to opening streets, avenues, roads or public parks and places in the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" was read a third time."

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Thompson
Cole	Jacobs	Middleton	Tobey
Connelly	King	Ray	Wellman
Dickinson	Laning	Robertson	Wood
Dow	Ledwith	Selkreg	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act conferring additional powers upon boards of excise in the several towns of this State, and repealing chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Laning	Robertson
Cole	Jacobs	Ledwith	Tobey
Connelly	Johnson	Lowery	Wellman
Dickinson	Kellogg	Parmenter	Wood
Dow	King	Ray	

19

FOR THE NEGATIVE.

Selkreg 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 592 of the Laws of 1874, entitled 'An act to incorporate the Merchants' Loan Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Laning	Ray	Tobey
Cole	Ledwith	Robertson	Wellman
Connelly	Lord	Selkreg	Wood
Dow	Lowery	Thompson	Woodin
Gross	Parmenter		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the New York Bowery Fire Insurance Company to elect one or more vice-presidents," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Cole	Johnson	Lowery	Tobey
Connelly	Kellogg	Parmenter	Wellman
Dickinson	Laning	Ray	Wood
Dow	Ledwith	Robertson	Woodin
Gross	Lord	Thompson	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

Mr. Johnson, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for the appointment of a commission to investigate, consider, and report upon the disposition to be made of the lateral canals," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Johnson, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize a tax of one-fifth of a mill per dollar of valuation for the payment of the awards of the Canal Appraisers, of the Canal Board, and of the Board of Canal Commissioners, and to pay certificates of indebtedness on interest now outstanding," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,'" passed March 8, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Thompson
Cole	Johnson	McGowan	Tobey
Connelly	Kellogg	Middleton	Wellman
Dickinson	Laning	Parmenter	Wood
Dow	Ledwith	Ray	Woodin
Gross	Lord	Robertson	

28

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out of public roads and of the alteration thereof,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dickinson	Laning	Parmenter	Wellman
Dow	Ledwith	Ray	Wood
Gross	Lord	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the erection of the court-house in the third judicial district of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Thompson	
Cole	Johnson	Lowery	Tobey	
Connelly	Kellogg	McGowan	Wellman	
Dickinson	King	Ray	Wood	
Dow	Laning	Robertson	Woodin	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburg,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, and chapter 360 of the Laws of 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	McGowan	Thompson	
Cole	Kellogg	Middleton	Tobey	
Connelly	King	Ray	Wellman	
Dickinson	Laning	Robertson	Wood	
Dow	Lord	Selkreg	Woodin	
Gross	Lowery			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in foreign States and countries, and for other purposes, and to repeal chapter 308 of the Laws of 1858, and the acts amendatory thereof, together with so much of chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories, and the acts amendatory thereof, as authorizes the appointment by the Governor of this State of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in the dominion of Canada,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Ledwith	Middleton
Cole	Kellogg	Lord	Ray
Connelly	King	Lowery	Robertson
Dow	Laning	McGowan	Woodin
Gross			

17

FOR THE NEGATIVE.

Selkreg

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to release the interest and title of the people of the State of New York in and to certain real estate in the city of New York to Walter Bauendahl and Leonard J. Stiastry," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	Lowery	Selkreg
Cole	Kellogg	McGowan	Thompson
Connelly	King	Middleton	Tobey
Dickinson	Laning	Parmenter	Wellman
Dow	Ledwith	Ray	Wood
Gross	Lord	Robertson	Woodin
Jacobs			

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Kellogg	McGowan	Selkreg
Cole	King	Middleton	Thompson
Connelly	Laning	Parmenter	Wellman
Dow	Ledwith	Ray	Wood
Gross	Lord	Robertson	Woodin
Jacobs	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in Kirkland,

Oneida county, New York, to Mary Hughes, widow of James Hughes, deceased, her heirs and assigns," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Robertson
Cole	Johnson	Madden	Selkreg
Connelly	Kellogg	McGowan	Thompson
Dickinson	King	Middleton	Wellman
Dow	Laning	Parmenter	Wood
Gross	Lord	Ray	Woodin
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Albany to Samuel T. Fisher," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	Lowery	Selkreg
Cole	Kellogg	Madden	Thompson
Connelly	King	McGowan	Tobey
Dickinson	Laning	Middleton	Wellman
Dow	Ledwith	Ray	Wood
Gross	Lord	Robertson	Woodin
Jacobs			25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Avon, New York, to Margaret Curran," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	Lowery	Robertson
Cole	Kellogg	Madden	Selkreg
Connelly	King	McGowan	Thompson
Dickinson	Laning	Middleton	Wellman
Dow	Ledwith	Parmenter	Wood
Jacobs	Lord	Ray	Woodin
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Robertson moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act further to amend chapter 180 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,'" was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the negative, as follows :

FOR THE NEGATIVE.

Booth	Laning	Parmenter	Tobey
Cole	Ledwith	Robertson	Wellman
Connelly	Madden	Selkreg	Wood
Dow	McGowan	Thompson	Woodin
King	Middleton		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. King, from the committee on finance, to which was referred the Assembly bill entitled "An act for the relief of the New York and Yonkers Fire Insurance Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to facilitate the distribution of the property and effects of the Tontine Life Insurance Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ledwith moved that when the Senate adjourns to-day, it adjourn to meet on Monday evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Gross	Laning	Lowery	Parmenter
Jacobs	Ledwith	McGowan	Ray
Johnson	Lord	Middleton	

11

FOR THE NEGATIVE.

Booth	Connelly	Robertson	Wellman
Coe	King	Selkreg	Wood
Cole	Madden	Thompson	Woodin

12

Mr. Selkreg offered the following:

Resolved, That Senate bill, No. 179, entitled "An act in relation to the county court-house and jail in Queens county," be recommitted to the committee on internal affairs.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Lowery, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend and supplementary to chapter 362 of the Laws of 1872, to incorporate the Mutual Trust Institution of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend chapter 291 of the Laws of 1869, entitled 'An act to incorporate the city of Binghamton, and the several acts amending the same,'" reported in favor of the

passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Laning moved that when the Senate adjourns to-day, it adjourn to meet on Monday evening next at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Fox	Laning	Lowery	Parmenter
Gross	Ledwith	McGowan	Ray
Jacobs	Lord	Middleton	Tobey
Johnson			

13

FOR THE NEGATIVE.

Booth	Connelly	Robertson	Wood
Coe	King	Selkreg	Woodin
Cole	Madden	Thompson	

11

When the name of Mr. Dow was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal."

After some time spent therein the President resumed the chair, and Mr. King, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Jacobs moved that the further consideration of said bill be made a special order for Tuesday morning next immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871; and also to amend an act to re-enact and amend the same, passed April 6, 1871."

"An act relative to expenditures by the departments, officers and branches of the local government of the city of New York."

"An act in relation to regulating, grading, and otherwise improving streets, roads and avenues in the city of New York, and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and in relation to opening streets, avenues, roads or public parks and places in the city of New York."

After some time spent therein the President resumed the chair, and Mr. Lord, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Lord, from the same committee, reported in favor of the pas

sage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *April 15, 1875.* }

To the Senate :

I return herewith, without my approval, Senate bill No. 109, entitled "An act to amend an act entitled 'An act to authorize the consolidation of certain railroad companies,' passed May 20, 1869."

Section 1 of the act sought to be amended authorizes any railroad corporation incorporated under the laws of this or any other State operating a railroad or bridge, wholly or partly within this State, to consolidate with any other railroad company organized under the laws of this or any other State, where the two railroads will form a continuous line.

The bill now before me proposes to amend that section so as to authorize any railroad corporation organized under the laws of this State or of the State of Pennsylvania, either operating or constructing a railroad or bridge wholly or partly within the State, to consolidate with another company formed under the laws of this State or of the State of Pennsylvania.

This amendment is doubtless proposed to meet a special case so as to allow the consolidation of two corporations, although the roads of neither are in operation; but it restricts the operation of the existing statute so as to prevent the consolidation of two railroad corporations, although the roads of both are in operation, unless each of such corporations was organized under the laws of this State or of the State of Pennsylvania.

I am unable to see any good reason for such a discrimination between railroad corporations of the State of Pennsylvania and those of other contiguous States.

SAMUEL J. TILDEN.

Mr. Woodin moved that said message be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, and the bill entitled "An act to repeal an act entitled 'An act to further provide for the rebuilding and repairing of sewers in the city of New York,' passed March 29, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Selkreg	
Coe	Fox	Lord	Thompson	
Cole	Gross	Lowery	Wellman	
Dayton	King	Parmenter	Wood	
Dickinson	Laning	Ray	Woodin	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Woodin moved that the bill entitled "An act relative to claims and legal proceedings against the mayor, aldermen and commonalty of the city of New York," be considered in the first committee of the whole.

Mr. Coe moved to amend said motion by adding the bill entitled "An act to regulate remedies against assessments in the city of Brooklyn."

The President put the question whether the Senate would agree to said motion of Mr. Coe, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Woodin, as amended, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Parmenter moved that the Assembly bill entitled "An act to legalize the annual town meeting held at the Salem Hotel, in the town of Salem, county of Washington, the election, resolutions, and proceedings by said meeting, and all acts and proceedings in pursuance thereof," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize William Hilliker to establish a ferry across Cayuga lake at Cayuga bridge,' passed April 20, 1871," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Lowery moved that the consideration of the bill entitled "An act creating the office of Inspector of Public Works and providing for his appointment and compensation," be made a special order for Wednesday next.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act relative to claims and legal proceedings against the mayor, aldermen and commonalty of the city of New York."

Assembly, "An act to legalize the annual town meeting held at the Salem Hotel, in the town of Salem, county of Washington, the election, resolutions, and proceedings by said meeting, and all acts and proceedings in pursuance thereof."

"An act to regulate remedies against assessments in the city of Brooklyn."

After some time spent therein the President resumed the chair, and Mr. Laning, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Laning, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Laning, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Coe, and by unanimous consent, the rules were suspended, and the last named bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Thompson
Coe	Gross	Parmenter	Tobey
Cole	King	Ray	Wellman
Dayton	Laning	Robertson	Wood
Dow	Ledwith	Selkreg	Woodin 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned, pursuant to request, the bill entitled "An act in relation to the court of special sessions of the peace in and for the city and county of New York."

Mr. Woodin moved to reconsider the vote by which said bill was passed, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act to repeal an act entitled 'An act further to provide for the rebuilding and repairing of sewers in the city of New York,' passed March 29, 1871."

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *April 16, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof."

The vote on the final passage of said bill having been reconsidered, on motion of Mr. Shiel, and by unanimous consent, the same was amended as follows :

Section 6 (second page of said section), line 12, strike out the word "alter."

Also, strike out, in section 22 (second page of said section), lines 9, 10, 11, and 12, the words "shall, in making their appraisement, take into account the cost and prospective value of the works, rights, privileges, and properties, but not beyond actual cost, and they."

And as amended passed, and ordered sent to the Senate for concurrence.

By order,
HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Thompson
Coe	Gross	Lowery	Tobey
Cole	Jacobs	Parmenter	Wellman
Dayton	King	Ray	Wood
Dickinson	Laning	Robertson	Woodin
Dow	Ledwith	Selkreg	

23

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Thompson
Coe	Jacobs	Parmenter	Tobey
Cole	King	Ray	Wellman
Dayton	Laning	Robertson	Wood
Dickinson	Ledwith	Selkreg	Woodin
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the general terms of the supreme court," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act in relation to the general terms of the supreme court in the third judicial department," and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act to provide for the support of government," having been announced for a third reading,

On motion of Mr. Wood, and by unanimous consent, was amended as follows:

In the appropriation for salary for clerks in the office of the Treasurer, strike out the word "six," and insert in lieu thereof the word "eight."

In the item for traveling expenses of the Commissioners and Secretary of State Board of Charities, restore the original sum of \$4,000, as in the Assembly bill.

In the item for "Indian affairs," add the following: "For Thomas Asylum for Orphan and Destitute Indian Children, for the education and maintenance of one hundred children, in pursuance of chapter of the laws of 1875, at the rate of eighty-five dollars per capita, the sum of eight thousand five hundred dollars."

On motion of Mr. Lowery, and by unanimous consent, said bill was amended by inserting therein as follows: "For the support and instruction of thirty pupils in the Central New York Institution for Deaf Mutes, in the city of Rome, pursuant to the provisions of an act entitled 'An act relative to the care and education of deaf mutes,' passed in the year 1875, or a proportionate amount for a shorter period of time than one year, or for a smaller number of pupils, the sum of nine thousand dollars, to be paid by the Comptroller upon the certificate and oath of the

president and secretary of the said institution, approved by the Superintendent of Public Instruction, and this sum shall be in full of all demands upon the State up to the first day of October, 1878."

Said bill was then ordered laid upon the table, retaining its place on the order of the third reading of bills.

On motion of Mr. Gross, the Senate adjourned.

MONDAY, APRIL 19, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Friday, April 16, was read and approved.

Mr. Selkreg presented a remonstrance of citizens of Binghamton against the erection of a city hall; which was read and referred to the committee on the affairs of cities.

Mr. King presented a communication from Col. J. C. Woodruff relative to a light-house at Cold Spring Harbor, Long Island; which was read and referred to the committee on commerce and navigation.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to regulating, grading and otherwise improving streets, roads and avenues in the city of New York, and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and in relation to opening streets, avenues, roads or public parks and places in the city of New York."

"An act to regulate remedies against assessments in the city of Brooklyn."

"An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871, and also to amend an act to re-enact and amend the same, passed April 6, 1871."

"An act relative to claims and legal proceedings against the mayor, aldermen and commonalty of the city of New York."

"An act relative to expenditures by the departments, offices and branches of the local government of the city of New York."

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to amend an act entitled 'An act to amend, revise, and consolidate the laws in relation to the village of Seneca Falls, in the county of Seneca,' passed April 20, 1874."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto, respectively:

"An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties."

"An act relating to stock of the Delhi and Middletown Railroad Company owned by the town of Andes, Delaware county."

"An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly sent for concurrence the bill entitled as follows :

"An act creating the office of Inspector of Public Works," which was read the first time, and by unanimous consent, was also read the second time.

Mr. Lowery moved that said bill be substituted for Senate bill entitled "An act creating the office of Inspector of Public Works, and providing for his appointment and compensation," now on the calendar of general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to amend chapter 320 of the Laws of 1872, entitled 'An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulkheads and slips in the cities of New York and Brooklyn,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act ceding jurisdiction over certain land under water in Cold Spring Harbor, Queens county, Long Island, for lighthouse purposes of the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to enable the city of Yonkers to consolidate and equalize the time of payment of its bonded debt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' passed May 2, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Johnson asked and obtained leave to introduce a bill entitled "An act in relation to the census or enumeration of the inhabitants of the State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Johnson, and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Kellogg	Middleton	Selkreg
Connelly	King	Parmenter	Thompson
Dayton	Lowery	Ray	Wood
Dow	Madden	Robertson	Woodin
Johnson	McGowan		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr Lowery asked and obtained leave to introduce a bill entitled "An act to establish a board of assessors in and for the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Robertson moved that the bills entitled "An act relating to appeals by incorporated cities," and "An act to amend an entitled 'An act in relation to county treasurers,' passed March, 1875," be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Booth moved that the Assembly bill entitled "An act for the prevention of adulteration of food, drink and drugs," be recommitted to the committee on public health.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King offered the following :

Resolved (if the Assembly concur), That the State Engineer and Surveyor shall cause to be made, before the water is let into the Erie canal, a survey of the general condition of the canal, and its capacity to hold full seven feet depth of water ; to report the result of such survey, if practicable, to this Legislature, and to state at what places, and for what distances, the said canal has not the full depth of seven feet, and the probable cost in order to give that depth throughout its entire length.

On motion of Mr. King, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to authorize the payment, in whole or in part, of the bonded indebtedness of any of the towns in this State created in aid of any railroad therein, and to prescribe the mode in which the people thereof shall determine the time and amount of such payment."

"An act directing inquiries to be made and answers reported to the next Legislature upon the subject of timber supply, and the most effectual means for the maintenance thereof."

"An act to regulate the supply of stationery for the officers and reporters of the Legislature."

After some time spent therein the President resumed the chair, and Mr. Kellogg, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Kellogg, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

Mr. Woodin moved that the committee of the whole be discharged from the further consideration of the last named bill, and that the same be committed to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to amend chapter 836 of the Laws of 1872, entitled "An act to regulate places of public amusement in the city of New York."

"An act to provide for the recording of certain decrees in partition suits now remaining on file in the office of the clerk of Onondaga county, and for the alphabetical indexing of certain records of deeds and mortgages in the office of said clerk."

"An act to amend chapter 476 of the Laws of 1859, entitled 'An act to supply vacancies in the office of justices of the peace of the several towns of this State.'"

After some time spent therein, the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and said bills ordered to a third reading.

On motion of Mr. Laning, and by unanimous consent, the rules were suspended, and the bill entitled "An act for the relief of the grandchildren of Samuel F. Pratt, late of the city of Buffalo, deceased," was ordered considered in the first committee of the whole.

On motion of Mr. Parmenter, and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act in relation to the Troy water works,' passed March 9, 1855," was ordered considered in the first committee of the whole.

On motion of Mr. Madden, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act to provide for the care of the lands and buildings known as Washington Headquarters, in the city of Newburgh, and the property connected therewith," passed May 11, 1874, chapter 426," was ordered considered in the first committee of the whole not full.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to authorize the city of Elmira to borrow money and issue bonds of the city therefor in payment of the floating debt of said city."

"An act for the relief of the grandchildren of Samuel F. Pratt, late of the city of Buffalo, deceased."

"An act to amend an act entitled 'An act in relation to the Troy water-works,' passed March 9, 1855."

After some time spent therein the President resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Connelly, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Connelly, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act in relation to the general terms of the supreme court," was ordered considered in the first committee of the whole.

On motion of Mr. Thompson, and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to incorporate the village of New Berlin, in Chenango county,' passed April 28, 1870," was ordered considered in the first committee of the whole.

Mr. Middleton presented a communication from Dr. F. B. Hough relative to the timber supply and the most effectual means for the maintenance of the same.

On motion of Mr. Middleton, the same was referred to the committee on agriculture, and ordered printed.

Mr. Wood moved that the committee on finance be discharged from the further consideration of the memorial of the comptroller of the city of New York in relation to taxation, and that the same be committed to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Laning, and by unanimous consent, the rules were suspended, and the bill entitled "An act for the relief of the grandchildren of Samuel F. Pratt, late of the city of Buffalo, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Johnson	Lowery	Selkreg
Cole	King	Madden	Thompson
Connelly	Laning	Middleton	Wood
Dow	Lord	Robertson	Woodin
Fox			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly "An act to amend 'An act to provide for the care of the lands and buildings known as Washington Headquarters, in the city of Newburgh, and the property connected therewith,' passed May 11, 1874, chapter 426."

"An act to amend an act entitled 'An act to incorporate the village of New Berlin, in Chenango county,' passed April 28, 1870."

Assembly, "An act in relation to the general terms of the supreme court."

After some time spent therein the President resumed the chair, and Mr. Cole, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Cole, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Lowery, the Senate adjourned.

TUESDAY, APRIL 20, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Middleton presented a petition of 1,200 citizens of the State of New York praying for an amendment of the laws relative to assessment and taxation; which was read and referred to the committee on finance.

Mr. Lowery presented a remonstrance against the reimbursement of commutation money paid by drafted men; which was read and referred to the committee on finance.

Mr. Selkreg presented a petition of the citizens of Binghamton in favor of the extension of the city limits; which was read and referred to the committee of the whole.

The President announced the special order, being the bill entitled "An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal."

Mr. Wood moved that the consideration of the special order be postponed until the order of "special orders" is reached.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Wood asked and obtained leave to introduce a bill entitled "An act to enable incorporated parishes of the Protestant Episcopal denomination, in the diocese of Central New York, to make certain transfers of their real and personal estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to enable the city of New York to finally settle and pay that part of the bonded debt of the late town of Yonkers apportioned to the late town of Kingsbridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to authorize James McAndrew to take, hold and convey real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to amend chapter 508 of the Laws of 1874, entitled 'An act to authorize the construction of a railway from Vesey street through certain streets in the city of New York to the South Ferry,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise

the charter of the city of Auburn,' passed April 22, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend chapter 320 of the Laws of 1872, entitled 'An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulkheads and slips in the cities of New York and Brooklyn,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act ceding jurisdiction over certain land under water in Cold Spring Harbor, Queens county, Long Island, for light-house purposes of the United States," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act for the relief of the grandchildren of Samuel F. Pratt, late of the city of Buffalo, deceased."

"An act to amend an act entitled 'An act in relation to the Troy water-works,' passed March 9, 1855."

"An act to amend an act entitled 'An act to incorporate the village of New Berlin, in Chenango county,' passed April 28, 1870."

"An act in relation to the census or enumeration of the inhabitants of the State."

"An act to authorize the payment, in whole or in part, of the bonded indebtedness of any of the towns in this State created in aid of any railroad therein, and to prescribe the mode in which the people thereof shall determine the time and amount of such payment."

The Assembly sent for concurrence the bills entitled as follows:

"An act to reorganize the village of Canajoharie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872, and May 14, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize overseers of highways in the several road districts of this State to cause the removal of fences along public highways for the purpose of preventing the drifting of snow into such highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to provide for the payment of an award due from the city of Brooklyn to the Brooklyn park commissioners for lands taken from Prospect park for reservoir purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act further to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to extend the time for the exercise and discharge of the official duties, and for the completion of the work of the commissioners of streets, roads, avenues and parks in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wood, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

"An act authorizing the city of Kingston to issue bonds in order to create a fund for the purpose of completing and furnishing the city hall in said city, and of paying for and improving the city hall lot," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Booth moved that the bill entitled "An act to repeal section 5 of an act entitled 'An act to extend the distribution of Croton water through the city of New York, and to lay necessary mains to deliver it at higher elevations, and also to provide for the expense of water meters,' passed March 29, 1871," be recommitted to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to conform all charters of savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for the supervision and the administration of their affairs," having been announced for a third reading,

On motion of Mr. Wood, and by unanimous consent, said bill was amended by substituting therefor Senate bill No. 72, same title.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Johnson	Lowery	Robertson
Connelly	Kellogg	McGowan	Selkreg
Dickinson	King	Middleton	Thompson
Dow	Laning	Parmenter	Wood
Gloss	Lord	Ray	Woodin

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of New Berlin, in Chenango county,' passed April 28, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Robertson
Connelly	Johnson	Lowery	Selkreg
Dickinson	Kellogg	McGowan	Thompson
Dow	King	Middleton	Wood
Fox	Laning	Parmenter	Woodin
Gross			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to the Troy water-works,' passed March 9, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Robertson
Cole	Kellogg	McGowan	Selkreg
Connelly	King	Middleton	Thompson
Dickinson	Laning	Parmenter	Wood
Dow	Lord	Ray	Woodin
Gross			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the payment, in whole or in part, of the bonded indebtedness of any of the towns in this State created in aid of any railroad therein, and to prescribe the mode in which the people thereof shall determine the time and amount of such payment," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Ray
Cole	Johnson	Lowery	Robertson
Dickinson	Kellogg	McGowan	Selkreg
Dow	King	Middleton	Thompson
Fox	Laning	Parmenter	Woodin
Gross			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to claims and legal proceedings against the mayor, aldermen and commonalty of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Robertson
Cole	Kellogg	McGowan	Selkreg
Dickinson	King	Middleton	Thompson
Dow	Laning	Parmenter	Tobey
Fox	Lord	Ray	Woodin
Gross			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871, and also to amend an act to re-enact and amend the same, passed April 6, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Cole	Jacobs	McGowan	Selkreg
Dickinson	Kellogg	Middleton	Thompson
Dow	King	Parmenter	Tobey
Fox	Lord	Ray	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to expenditures by the departments, offices and branches of the local government of the city of New York," having been announced for a third reading,

On motion of Mr. Woodin, and by unanimous consent, was amended as follows :

Section 2, line 7, strike out the words "except that," and insert in lieu thereof the words "but this section shall not apply to payment for."

Line 10, strike out the words "payment for."

Line 11, strike out the word "is," and insert the word "are."

Line 12, strike out the word "as," and insert the word "is."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Cole	Jacobs	McGowan	Selkreg
Connelly	Johnson	Middleton	Tobey
Dickinson	Kellogg	Parmenter	Wood
Dow	King	Ray	Woodin
Fox	Lord		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the support of government," having been announced for a third reading,

Mr. Jacobs moved that said bill be recommitted to the committee on finance, with instructions to amend as follows:

Add, at the end of paragraph relative to the Inebriate Asylum, the following:

"Hereafter the said institution shall be devoted to the reception and care of epileptics and chronic insane, under the same laws, rules, and regulations governing the Willard Asylum, and the laws applicable thereto. The reception of inebriates shall be discontinued on and after the first day of June next, and the present board of trustees shall be trustees of the institution herein provided for."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cole	Johnson	Lord	Parmenter
Gross	Laning	Madden	Ray
Jacobs			

9

FOR THE NEGATIVE.

Booth	Fox	Middleton	Tobey
Connelly	King	Robertson	Wood
Dickinson	Lowery	Selkreg	Woodin
Dow	McGowan	Thompson	

15

Mr. Gross moved to recommit said bill to the committee on finance, with instructions to amend as follows:

Strike out the following item:

"For donations to the societies in the several counties of the State and to the State Society for the promotion of agriculture, the sum of twenty thousand dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Connelly	Jacobs	Madden	Ray
Gross	Lord	Parmenter	Robertson

8

FOR THE NEGATIVE.

Booth	King	Middleton	Tobey
Cole	Laning	Selkreg	Wood
Dow	Lowery	Thompson	Woodin
Johnson			

13

On motion of Mr. Woodin, and by unanimous consent, said bill was amended by striking out the appropriation for Washington Headquarters at Newburgh.

On motion of Mr. Wood, and by unanimous consent, said appropriation was reinserted.

Mr. Lowery moved that said bill be recommitted to the committee on finance, with instructions to amend the same by striking out the appropriation for the academic department of union schools.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Gross	Johnson	Lord	Ray	
Jacobs	Laning	Lowery		7

FOR THE NEGATIVE.

Connelly	King	Robertson	Tobey	
Dickinson	McGowan	Selkreg	Wood	
Dow	Middleton	Thompson	Woodin	
Kellogg	Parmenter			14

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Cole	Gross	Lowery	Robertson	
Connelly	Jacobs	McGowan	Selkreg	
Dickinson	Kellogg	Middleton	Tobey	
Dow	King	Parmenter	Wood	
Fox	Laning	Ray	Woodin	20

Mr. Laning moved that the vote by which said bill was passed be reconsidered.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	Lowery	Selkreg	
Cole	Johnson	McGowan	Thompson	
Connelly	Kellogg	Middleton	Tobey	
Dow	King	Parmenter	Wood	
Fox	Laning	Ray	Woodin	
Gross	Lord	Robertson		23

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Jacobs	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dickinson	King	Parmenter	Wood
Dow	Laning	Ray	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Gross moved to take from the table the question of agreeing to the report of the committee of conference on the matters in difference between the two Houses relative to the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1875."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Robertson
Coe	Gross	Lord	Thompson
Cole	Jacobs	Lowery	Tobey
Connelly	Kellogg	Middleton	Woodin
Dow	King	Ray	

19

FOR THE NEGATIVE.

Selkreg

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The Assembly bill entitled "An act to amend 'An act to provide for the care of the lands and buildings known as Washington Headquarters, in the city of Newburgh, and the property connected therewith,' passed May 11, 1874, chapter 426," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Selkreg
Cole	Johnson	Lowery	Thompson
Dickinson	Kellogg	Middleton	Tobey
Dow	King	Ray	Wood
Gross	Laning	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize the annual town meeting held at the Salem Hotel, in the town of Salem, county of Washington, the election resolutions and proceedings by said meeting, and all acts and proceedings in pursuance thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Selkreg
Coe	Kellogg	McGowan	Thompson
Cole	King	Middleton	Tobey
Dickinson	Laning	Parmenter	Wood
Dow	Lord	Robertson	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act in relation to regulating, grading and otherwise improving streets, roads and avenues in the city of New York, and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and in relation to opening streets, avenues, roads or public parks and places in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Selkreg
Coe	Jacobs	Lowery	Tobey
Cole	Kellogg	Middleton	Wood
Dickinson	King	Parmenter	Woodin
Dow	Laning	Robertson	
			19

FOR THE NEGATIVE.

Fox	Ray	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize overseers of highways, in the several road districts of this State, to cause the removal of fences along public highways for the purpose of preventing the drifting of snow in such highways," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to authorize the village of Glen's Falls to borrow money and issue bonds for the purpose of increasing its supply of water and extending its water-works," reported in favor of the passage of the same.

On motion of Mr. Tobey, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

The Assembly bill entitled "An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Robertson
Coe	Gross	Lord	Selkreg
Cole	Jacobs	Lowery	Thompson
Dickinson	Johnson	Middleton	Tobey
Dow	King	Ray	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Booth moved to take from the table the motion to reconsider the vote by which the bill entitled "An act in relation to the court of special sessions of the peace in and for the city and county of New York," was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Johnson	Lowery	Selkreg
Cole	Kellogg	Middleton	Thompson
Dickinson	King	Ray	Tobey
Dow	Laning	Robertson	Woodin
Fox			
			17

Mr. Booth moved to recommit said bill to the committee on the affairs of cities, retaining its place on the order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood moved to suspend the present order of business of third reading of bills, and that the Senate proceed to the consideration of the special order, being the bill entitled "An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein mentioned, and for filling the vacancies created by such removal."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said special order, being the bill entitled as follows :

"An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein mentioned, and for filling the vacancies created by such removal."

After some time spent therein, the President resumed the chair, and Mr. King, from said committee, reported progress on said named bill, and asked leave to sit again.

Mr. Jacobs moved that said bill be recommitted to the committee on the judiciary, with instructions to amend as proposed by him in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Fox	Jacobs	Middleton	Robertson	
Gross	Lowery	Parmenter	Tobey	8

FOR THE NEGATIVE

Booth	Dow	Madden	Thompson	
Coe	King	McGowan	Wood	
Cole	Laning	Ray	Woodin	
Dickinson	Lord	Selkreg		15

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Jacobs moved that said bill be made a special order for this evening at half-past seven o'clock.

Mr. Cole moved to amend said motion by striking out the words "this evening at half-past seven o'clock," and inserting in lieu thereof the words "to-morrow morning immediately after the reading of the journal."

The President put the question whether the Senate would agree to said motion of Mr. Cole, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Jacobs, as amended, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

On motion of Mr. Madden, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The President presented a resolution of the Canal Board relative to appropriations for completion of the Cohoes locks enlargement work at Whitehall, and for building vertical walls; which was read and referred to the committee of the whole.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to increase the efficiency of the court of general sessions of the peace in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act authorizing and regulating the planting of oysters in the public waters of the town of Jamaica, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The Assembly sent for concurrence the bills entitled as follows :

"An act to further amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 790 of the Laws of 1872, entitled 'An act to establish a special road district and appropriate the highway taxes on the non-resident lands therein for the constructing of a road from Blood's hotel to Tupper's lake in Franklin county,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the religious society in the city of New York, known as the Temple Bethel, to buy and hold land for cemetery purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act for the preservation of fish in the waters of Oak Orchard creek, in the counties of Genesee and Orleans," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act in regard to sewerage and other improvements in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 438 of the Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act in relation to Congress Hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to provide for a public park in the city of Lockport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized, to Angeline Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs at law of said Robert A. Lamont, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the better suppression of vice and of obscene literature," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the regulation of the sale of oysters in the city of New York, and the better protection of the retail dealers of the same," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act relating to the construction of sidewalks upon Ellicott avenue, in the village of Batavia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend chapter 583 of the Laws of 1874, entitled 'An act to lay out and improve a public highway or avenue and concourse in continuation of a public highway or avenue, heretofore laid out from Prospect Park, in the city of Brooklyn, toward Coney Island, in the county of Kings,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities:

"An act to amend section 1 of chapter 698 of the Laws of 1878, so as to include the waters of Findley's lake, in the county of Chautauqua," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to legalize the official acts of John E. Ashe as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize and confirm the official acts of Milton J. Baker as coroner of the county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to prevent the taking of fish in or from the waters of Tonawanda creek, so called, and its branches, in the county of Wyoming," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 345 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to enable the city of Brooklyn to build piers for the accommodation of steamboat travel, and other commercial purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish, so as to exempt Chautauqua lake from certain provisions of said act,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 290 of the Laws of 1870, entitled 'An act to incorporate the village of Oneonta, Otsego county, New York,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend chapter 585 of the Laws of 1874, entitled 'An act to incorporate the Brooklyn Elevated Silent Safety Railway, for the purposes of providing rapid transit through the city of Brooklyn, Kings county, to Woodhaven, in the town of Jamaica, in the county of Queens, and the State of New York, and to provide for constructing and operating a railway therefor,' passed May 26, 1874," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act providing that the bridge in course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to regulate the use of slips, wharves, and piers in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act supplementary to chapter 780 of the Laws of 1867, entitled 'An act to supply the city of Binghamton with pure and wholesome water, and the acts amendatory thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto, respectively:

"An act to authorize the New York Bowery Fire Insurance Company to elect one or more vice-presidents."

"An act further to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers.'"

"An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City.'"

"An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany."

"An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,' passed March 11, 1874."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the concurrent resolution requesting the State Engineer and Surveyor to cause a survey of the canal and its capacity to hold seven feet depth of water, and to report to this Legislature, with a message that they had concurred in the passage of the same.

The Assembly returned the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," with a message that they had agreed to the report of the committee of conference thereon.

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act for the incorporation of societies for the prevention of cruelty to children," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the demolition of unsafe walls and buildings in the city of Brooklyn."

Assembly, "An act for the incorporation of societies for the prevention of cruelty to children."

Assembly, "An act to further amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

After some time spent therein, the President resumed the chair, and Mr. Ray, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ray, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Ray, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Laning moved that said bill be committed to the committee on the judiciary retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Middleton, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act further to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" was ordered considered in the first committee of the whole.

The President announced the following appointment:

Robert McIntyre, mail carrier to the Senate.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 22, 1869," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to establish a board of assessors in and for the city of Utica," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to authorize the board of police of the city of New York to grant new trials," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the city of Kingston to issue bonds in order to create a fund for the purpose of completing and furnishing the city hall in said city, and of paying for and

improving the city hall lot," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to further amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

"An act in relation to the St. Regis tribe of Indians, in the county of Franklin."

Assembly, "An act to amend chapter 26 of the Laws of 1874, entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith for the use of the Methodist Episcopal Church.'"

After some time spent therein the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and the said named bills ordered to a third reading.

Mr. Lowery, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to extend the time for the exercise and discharge of the official duties, and for the completion of the work of the commissioners of streets, roads, avenues and parks in Long Island City," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to amend chapter 248 of the Laws of 1872, entitled 'An act to authorize the formation, establishing, and maintaining of driving park and park associations.'"

"An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813."

Assembly, "An act to authorize the city of Utica to provide a building for fire department purposes, and borrow and disburse money to pay for the same."

After some time spent therein the President resumed the chair, and Mr. Fox, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Fox, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 36, 1836."

Assembly, "An act in relation to coroners' fees and post-mortem examinations in Erie county."

"An act to repeal chapter 309 of the Laws of 1853, entitled 'An act relative to the common lands in the town of North Hempstead, county of Queens.'"

After some time spent therein the President resumed the chair, and Mr. Tobey, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Tobey, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Tobey, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide for the building of a town house in the town of Fort Covington, in the county of Franklin."

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

Assembly, "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

After some time spent therein the President resumed the chair, and Mr. Laning, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Laning, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the Buffalo and Grand Island Ferry Company to increase its capital stock."

Assembly, "An act to reduce rates of ferriage on certain ferry routes between the city of New York and the Seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries."

Assembly, "An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road (so called) to the east line thereof."

After some time spent therein, the President resumed the chair, and Mr. Middleton, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Middleton, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act supplementary to act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine-salt lots on the Onondaga Salt Springs reservation by the Commissioners of the Land Office,' and authorizing the Commissioners of the Land Office to exchange lands on said reservation."

Assembly, "An act to fix the salaries of certain State officers."

"An act to amend chapter 290 of the Laws of 1870, entitled 'An act to incorporate the village of Oneonta, Otsego county, New York,' passed April 20, 1870."

After some time spent therein the President resumed the chair, and Mr. Lord, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Lord, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGowan moved that the committee on the affairs of villages be discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 290 of the Laws of 1870, entitled 'An act to incorporate the village of Oneonta, Otsego county, New York,' passed April 20, 1870," and that the same be substituted for Senate bill, with same title, now on the order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to repeal chapter 419 of the Laws of 1874, entitled "An act to enable the town of Sardinia, Erie county, to raise money to build a town hall."

"An act to facilitate the distribution of the property and effects of the Eclectic Life Insurance Company."

Assembly, "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Jamaica, Queens county,' passed March 26, 1873."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act relating to fares for carrying passengers on street railroads in the city of Buffalo," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Gross, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the religious society in the city of New York, known as Temple Beth-El, to buy and hold land for cemetery purposes," reported in favor of the passage of the same.

On motion of Mr. Gross, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

On motion of Mr. Fox, the Senate adjourned.

WEDNESDAY, APRIL 21, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The President presented a resolution of the common council of the city of New York relative to bone-boiling establishments, etc.; which was read and referred to the committee on the affairs of cities.

Mr. Gross moved that said resolution be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs moved that the consideration of special order, being the bill entitled "An act to carry into effect the command of section 7 of article 10 of the Constitution, by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal," be postponed until eleven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the St. Regis tribe of Indians, in the county of Franklin."

"An act to facilitate the distribution of the property and effects of the Eclectic Life Insurance Company."

"An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813."

"An act to provide for the building of a town house in the town of Fort Covington, in the county of Franklin."

"An act to extend the operation and effect of the act passed February 17, 1848, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes."

"An act to repeal chapter 309 of the Laws of 1853, entitled 'An act relative to the common lands in the town of North Hempstead, county of Queens.'"

"An act to authorize the Buffalo and Grand Island Ferry Company to increase its capital stock."

"An act for the demolition of unsafe walls and buildings in the city of Brooklyn."

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the execution of a certain mortgage by the Belmont Manufacturing Company and the proceedings of foreclosure founded thereon," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act changing the time of holding the circuit courts and courts of oyer and terminer in the county of Essex," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons as experts," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act in relation to county treasurers," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the bill entitled "An act relating to appeals by incorporated cities," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to repeal chapter 270 of the Laws of 1829, entitled 'An act for the prevention of masquerades,'" reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act defining the powers and fees of notaries public," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the general terms of the supreme court," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for and regulate the mode of admission of attorneys and counselors coming from the courts of other States to practice in the courts of this State," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend chapter 345 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act relating to the construction of sidewalks upon Ellicott avenue, in the village of Batavia," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on banks, to which was referred the Assembly bill entitled "An act to authorize the formation of corporations for the safe keeping and guarantying of personal property," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend section 1, chapter 33 of the Laws of 1874, entitled 'An act to amend section 1 of chapter 381 of Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Steuben, Schuyler, Chemung, Seneca, Yates, and Ontario,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Rochester to the grounds of the Western New York Agricultural and Mechanical Driving Park Association in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act to amend chapter 508, Laws of 1874, entitled 'An act to authorize the construction of a railway from Vesey street through certain streets, in the city of New York, to the South Ferry,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the Assembly bill entitled "An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs," with a message that they had non-concurred in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee, on their part, Messrs. Schuyler, T. C. Campbell, Sherman, Alvord, and Seward.

Mr. Lowery moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee, Messrs. Lowery, Wood, and Gross.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon.

The Assembly returned, pursuant to request, the bill entitled "An act in relation to the State prisons and penitentiaries of this State."

Mr. Dickinson moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg
Coe	Gross	Middleton	Thompson
Cole	Jacobs	Moore	Wellman
Dickinson	King	Parmenter	Woodin
Dow	Ledwith	Robertson	19

Mr. Dickinson moved that said bill be committed to the committee on finance retaining its place on the order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the Assembly bill entitled "An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester,'" with a message in the words following:

IN ASSEMBLY, *April 20, 1875.*

The vote on the final passage of the within entitled bill has been reconsidered, and further amended by making section 3 of said bill read as follows:

"§ 3. Section 6 of title 4 of said act is hereby repealed."

And, as amended, read a third time and passed.

By order,

HIRAM CALKINS, *Clerk.*

Mr. Robertson moved to reconsider the vote by which said bill was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg
Bradley	Gross	Middleton	Thompson
Cole	Jacobs	Moore	Wellman
Dickinson	King	Parmenter	Woodin
Dow	Ledwith	Robertson	19

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Coe	Jacobs	Middleton	Selkreg
Cole	King	Moore	Thompson
Dickinson	Laning	Parmenter	Wellman
Dow	Ledwith	Ray	Woodin
Fox			

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as further amended.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to provide for a better system of record of the inmates of poor-houses and alms-houses."

"An act to authorize the trustees of the village of Cooperstown to erect a building for the use of the fire department, trustees, and other officers of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such real estate and erecting such building."

"An act in relation to the powers and jurisdiction of the superior court of Buffalo, and of the judges thereof."

"An act in relation to the erection of the court-house in the third judicial district of the city of New York."

"An act to amend chapter 485 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter.'"

"An act in relation to the census or enumeration of the inhabitants of the State."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence the bills entitled as follows :

"An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving, and embellishing the public park in said city and the approaches thereto, and providing for the payment of such bonds and the expenditure of such money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to authorize the town of Newfane, in the county of Niagara, to raise money to build a town house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to authorize the town auditors of the towns of Southfield and Middletown, Richmond county, to audit certain claims," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 497 of the Laws of 1869, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county,' and supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to committee on the judiciary.

"An act to repeal chapter 20 of article 1, title 19 of part 1 of the Revised Statutes concerning brokers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 809 of the Laws of 1872, entitled 'An act to authorize the construction of a sewer from the county buildings at Flatbush, in said county,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the preservation of fish in Salmon river and Deer creek, in Oswego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to legalize and confirm the vote of the electors of the town of Salamanca, Cattarangus county, at the annual town meeting held on the 24th day of February, 1874, in relation to building a fence around the burying-ground in the village of Salamanca, and to levy and collect a tax on said town to pay the expenses thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to Riverside avenue and park in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to legalize the acts of James A. Wright, a justice of the peace, in and for the county of Cayuga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the time for the completion of the act to authorize the construction of a railroad from at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to regulate the fare upon the Fopda and Fultonville Horse Railroad," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg
Coe	King	Middleton	Thompson
Cole	Laning	Parmenter	Tobey
Dow	Lord	Ray	Wellman
Fox	Lowery	Robertson	Woodin
			20

FOR THE NEGATIVE.

Ledwith 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Robertson, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act for the incorporation of societies for the prevention of cruelty to children," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Middleton	Selkreg
Coe	Laning	Moore	Thompson
Cole	Lord	Parmenter	Wellman
Dickinson	Lowery	Ray	Wood
Dow	McGowan	Robertson	Woodin

20

FOR THE NEGATIVE.

Fox	Ledwith
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the Senate bill entitled "An act to reorganize the Thomas Asylum for Orphans and Destitute Indian Children on the Cattaraugus reservation, and to provide for its management and maintenance," having met and duly considered the same, have agreed to recommend as follows, viz.: That both Houses concur in the amendment of the Assembly amended so as to read as follows :

"§ 6. There shall hereafter be annually allowed and appropriated the sum of eight thousand five hundred dollars for the support and maintenance, at the rate of eighty-five dollars per capita, per annum, for each child maintained and educated in said asylum."

Make section 6 section 7.

A. G. DOW,
A. P. LANING,
D. P. WOOD,

Senate Committee.

S. H. HAMMOND,
NATHAN D. PETTY,
SAM'L L. BENEDICT,
THOS. C. CAMPBELL,
JOHN P. BADGER,

Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Middleton	Selkreg
Coe	Laning	Moore	Thompson
Cole	Ledwith	Parmenter	Wellman
Dickinson	Lord	Ray	Wood
Dow	Lowery	Robertson	Woodin
Fox	McGowan		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The Assembly returned the bill entitled "An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office," with a message that they had passed the same with the following amendments :

Section 1, line 8, strike out the word "total."

Line 9, after the word "of," insert the words "any of."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Middleton	Selkreg
Coe	Laning	Moore	Thompson
Cole	Ledwith	Parmenter	Wellman
Dickinson	Lord	Ray	Wood
Dow	Lowery	Robertson	Woodin
Fox	McGowan		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to incorporate the Twelfth Ward Savings Bank in the city of New York," with a message that they had passed the same, with the following amendments :

Section 1, line 8, engrossed bill, insert after the name "Ahrens," the names of "John J. Gleason, Jr.," and "Patrick Henan."

Add, at the end of section 7, the following :

"And a copy of the same shall be transmitted to the Superintendent of the Bank Department, who shall also be notified of any amendment and change therein."

Section 9, strike out all after line 5, down to the end of the section, and insert as follows :

"1. In the stocks or bonds or interest-bearing notes or obligations of the United States.

"2. In the stocks or bonds bearing interest of this State.

"3. In the stocks or bonds of any State in the Union that has not, within the years previous to making such investment by such corporation, defaulted in the payment of any part of either principal or interest of any debt authorized by any Legislature of such State to be contracted.

"4. In the stocks or bonds of any city, county, town or village of this State, issued pursuant to the authority of any law of this State other than bonds issued for railroads or any private corporation or enterprise.

"5. In bonds and mortgages on unincumbered real estate, situate in this State, or in an adjoining county of an adjoining State, worth at least twice the amount loaned thereon, and to invest the same subject to the conditions and limitations of this act."

Strike out all of section 11, and insert the following :

"§ 11. Whenever buildings are included in the valuation of any real estate upon which a loan shall be made by any such corporation, they shall be insured by the mortgagor in such company or companies, as the trustees shall direct, and the policy of insurance shall be duly assigned, or the loss made payable as its interest may appear, to such corporation ; and it shall be lawful for such corporation to renew such policy of insur-

ance in the same or in any other company or companies as they may elect, from year to year, or for a longer or shorter term, in case the mortgagor shall neglect to do so, and may charge the same to him; and all the necessary charges and expenses paid by such corporation, for such renewal or such renewals, shall be paid by such mortgagor to such corporation, and shall be a lien upon the property so mortgaged until paid."

Add, at the end of section 12, the following:

"And it shall be unlawful for such corporation, or for any of its officers, as such, to engage in the business of selling exchange, gold or silver, or in the business of discounting, collecting or protesting promissory notes and time bills of exchange."

Section 14, line 7, strike out the word "twenty," and insert in lieu thereof the word "ten."

Line 18, same section, after the word "twenty," insert the word "five."

Section 18, line 3, after the word "interest," insert the words "not to exceed six per cent per annum."

Strike out all of section 20, and insert the following as sections 20 and 21:

"§ 20. Whenever it shall appear to the said superintendent, from any examination made by him, or from the report of any examination made to him, or from the report made by said corporation pursuant to the requirements of this act, that said corporation has committed any violation of its charter or of law, or is conducting its business and affairs in an unsafe or unauthorized manner, he shall, by an order under his hand and seal, direct the discontinuance of such illegal and unsafe or unauthorized practices, and strict conformity with the requirements of the law, and with safety and security in its transactions; and whenever said corporation shall refuse or neglect to make such report as is hereinbefore required, or to comply with any such order as aforesaid; or, whenever it shall appear to the superintendent that it is unsafe or inexpedient for said corporation to continue to transact business, he shall communicate the facts to the Attorney-General, who shall thereupon institute such proceedings as the nature of the case may require."

"§ 21. Where the facts communicated to the Attorney-General as aforesaid point to a condition of insolvency, the proceedings instituted by that officer shall be such as are now, or may hereafter be, provided for by the laws in the case of insolvent corporations. But where the facts so communicated relate to matters that do not disclose such condition of insolvency, the proceedings instituted by the Attorney-General shall be for the removal of one or more of the trustees, or for the transfer of the corporate powers to other persons, or the consolidation and merger of the corporation with any other savings corporation that may be willing to accept of the trust, or for such other or further relief or correction as the particular facts communicated to him shall seem to require. And the court before whom such proceedings shall be instituted shall have power to grant such orders, and in its discretion, from time to time, to modify or revoke the same, as the evidence in the case and the situation of the parties and the interests involved shall seem to require."

Change section 21 to section 22.

Change section 22 to section 23.

Strike out of the last-named section, in lines 2, 3 and 4, the words "the provisions of the 18th chapter of the first part of the Revised Statutes and," and insert in lieu thereof the words "the provisions of."

Also, strike out, after the word "all," in line 4, same section, the word "other," and change section 23 of engrossed bill to section 24.

Mr. Gross moved that the Senate do non-concur in said amendments, that a committee of conference be appointed thereon, and that the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee, Messrs. Gross, Wellman, and Booth.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in said amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to provide for the payment for the use and occupation of armories and drill-rooms in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Wellman asked and obtained leave to introduce a bill entitled "An act to repeal section 3 of chapter 130. of the Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax in aid of Friendship Academy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The Assembly bill entitled "An act in relation to the general terms of the supreme court," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg
Coe	Jacobs	Middleton	Thompson
Cole	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the St. Regis tribe of Indians, in the county of Franklin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Selkreg
Coe	King	McGowan	Thompson
Cole	Laning	Moore	Wellman
Dickinson	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin
Fox			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to further amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" having been announced for a third reading,

Mr. Woodin moved that said bill be committed to the committee on the judiciary, with instructions to so amend the same that it shall require the assent of the Superintendent of the Insurance Department, in order to change the name of any insurance company.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on engrossed bills, reported as correctly re-engrossed the bills entitled as follows :

"An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children, on the Cattaraugus reservation, and to provide for its management and maintenance."

"An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office."

The Assembly returned the bill entitled "An act to provide for the support of government," with a message that they do non-concur in the amendments made thereto by the Senate, and have appointed as a committee of conference thereon, Messrs. Hammond, Alvord, Davis, W. Miller and Daly, and request a like committee on the part of the Senate.

Mr. Wood moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee, Messrs. Wood, Selkreg and Jacobs.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon.

The bill entitled "An act to repeal chapter 309 of the Laws of 1853, entitled 'An act relative to the common lands in the town of North Hempstead, county of Queens,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Laning	Middleton	Selkreg	
Dow	Ledwith	Moore	Thompson	
Fox	Lowery	Parmenter	Wellman	
Gross	Madden	Ray	Wood	
King	McGowan	Robertson	Woodin	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Buffalo and Grand Island Ferry Company to increase its capital stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Ledwith	Middleton	Selkreg
Coe	Lord	Moore	Thompson
Dow	Lowery	Parmenter	Wellman
Gross	Madden	Ray	Wood
King	McGowan	Robertson	Woodin
Laning			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Laning	McGowan	Robertson
Coe	Ledwith	Middleton	Selkreg
Dow	Lord	Moore	Thompson
Fox	Lowery	Parmenter	Wellman
Gross	Madden	Ray	Wood
King			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the recording of certain degrees in partition suits now remaining on file in the office of the clerk of Onondaga county, and for the alphabetical indexing of certain records of deeds and mortgages in the office of said clerk," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Ledwith	Middleton	Selkreg
Coe	Lord	Moore	Thompson
Cole	Lowery	Parmenter	Wellman
Dow	Madden	Ray	Wood
King	McGowan	Robertson	Woodin
Laning			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 476 of the Laws of 1859, entitled 'An act to supply vacancies in the office of justices of the peace in the several towns of this State,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Laning	Middleton	Selkreg
Coe	Ledwith	Moore	Thompson
Cole	Lord	Parmenter	Wellman
Dow	Lowery	Ray	Wood
Gross	Madden	Robertson	Woodin
King	McGowan		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the city of Elmira to borrow money and issue bonds of the city therefor in payment of the floating debt of said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	King	Madden	Selkreg
Coe	Laning	McGowan	Thompson
Cole	Ledwith	Middleton	Wellman
Dow	Lord	Parmenter	Wood
Gross	Lowery	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act supplementary to act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine-salt lots on the Onondaga Salt Springs reservation by the Commissioners of the Land Office,' and authorizing the Commissioners of the Land Office to exchange lands on said reservation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Selkreg
Coe	King	Madden	Thompson
Cole	Laning	Middleton	Wellman
Dow	Ledwith	Ray	Wood
Fox	Lord	Robertson	Woodin

20

FOR THE NEGATIVE.

Gross

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows :

"An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal."

After some time spent therein the President resumed the chair, and Mr. King, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

The Assembly bill entitled "An act to amend the chaaster of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road, so called, to the east line thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Coe	King	Madden	Thompson
Cole	Laning	Middleton	Wellman
Dayton	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 290 of Laws of 1870, entitled 'An act to incorporate the village of Oneonta, Otsego county, New York,' passed April 20, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Laning	McGowan	Robertson
Coe	Ledwith	Middleton	Selkreg
Cole	Lord	Moore	Thompson
Dow	Lowery	Parmenter	Wellman
Gross	Madden	Ray	Wood
King			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to fix the salaries of certain State officers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Selkreg
Coe	King	Madden	Thompson
Cole	Laning	Middleton	Wellman
Dayton	Ledwith	Parmenter	Wood
Dow	Lord	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	McGowan	Selkreg
Coe	King	Middleton	Thompson
Cole	Laning	Parmenter	Wellman
Dayton	Ledwith	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to provide for the building of a town house in the town of Fort Covington, in the county of Franklin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg
Coe	King	Middleton	Thompson
Cole	Laning	Parmenter	Wellman
Dayton	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend chapter 135 of the Laws of 1873, entitled An act to amend an act entitled An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Jamaica, Queens county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Madden	Selkreg
Coe	King	Middleton	Thompson
Cole	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin
Fox	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Woodin moved that the present order of business be suspended, and that the Senate resolve itself into a committee of the whole, and proceed to the consideration of the bill entitled "An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole upon said bill; and, after some time spent therein, the hour of twelve o'clock having arrived, the President resumed the chair and announced executive session.

Mr. Jacobs moved that the executive session be postponed until a quarter before two o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate, in committee of the whole, resumed the consideration of the special order; and,

Mr. King, from the same committee, reported progress on said named bill, and asked and obtained leave to sit again.

Mr. Jacobs moved to recommit said bill to the committee on the judiciary, with instructions to inquire into the constitutionality of the proposed amendments of Mr. Woodin, made in the committee of the whole, and report the same to the Senate to-morrow morning.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs moved that the further consideration of said bill be made a special order for to-morrow morning at eleven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

On motion of Mr. Lowery, the Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows :

"An act creating the office of Inspector of Public Works."

After some time spent therein the President resumed the chair, and Mr. Ledwith, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Lowery moved that the further consideration of said bill be made a special order for to-morrow morning immediately after disposing of the special order set down for eleven o'clock A. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Lowery moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the village of Glen's Falls to borrow money, and issue bonds for the purpose of increasing its supply of water and extending its water-works," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Cole	King	Middleton	Thompson
Dickinson	Laning	Parmenter	Tobey
Dow	Ledwith	Ray	Wellman
Fox	Lord	Robertson	Wood
Gross	Lowery	Selkreg	Woodin
Jacobs	McGowan		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Cole, and by unanimous consent, the Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bill entitled as follows :

"An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon, and extraordinary repairs of, the canals of this State,' passed May 9, 1874."

After some time spent therein the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of the said named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Cole, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Middleton	Thompson
Coe	King	Parmenter	Tobey
Cole	Laning	Ray	Wellman
Dow	Lowery	Robertson	Wood
Fox	McGowan	Selkreg	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Senate then went into executive session ; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Fox, the Senate adjourned.

THURSDAY, APRIL 22, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The President presented resolutions of the common council of Long Island City relative to special legislation affecting said city; which was read and laid upon the table.

Mr. Selkreg presented a remonstrance of citizens of Waverly, Tioga county, against a reduction of tolls upon the canals; which was read and referred to the committee on canals.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to reorganize the village of Canajoharie reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867; April 27, 1871; March 27, 1872; and May 14, 1873," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to further amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the town of Kinderhook to take a legacy under the will of Edward G. Miner, deceased," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 790 of the Laws of 1872, entitled 'An act to establish a special road district and appropriate the highway taxes on the non-resident lands therein for the constructing of a road from Blood's hotel to Tupper's lake in Franklin county,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 497 of the Laws of 1869, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county,' and supplementary thereto," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to repeal chapter 20 of article 1, title 19 of part 1, of the Revised Statutes, concerning brokers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to county treasurers,'" reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the marine court of the city of New York," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. King, from the committee on insurance, to which was referred the Assembly bill entitled "An act to amend chapter 773 of the Laws of 1867, entitled 'An act to amend the charter of the Brooklyn Life Insurance Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act relative to sea-walls, breakwater, piers and warehouses in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to regulate the use of slips, wharves and piers in the city of New York," reported in favor of the passage of the same.

On motion of Mr. Gross, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. King, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend chapter 232 of the Laws of 1854, entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,'" reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. King, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and correct the harbor commissioners' lines,'" reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. King, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the question of the constitutionality of the amendments proposed by Mr. Woodin to the bill entitled "An act to carry into effect the command of section 7 of article 10 of the Constitution, by providing for the removal of certain officers therein mentioned, and for filling the vacancies created by such removal," reported adversely thereto, which report was agreed to.

Mr. Robertson, from the committee on the judiciary to which was referred the bill entitled "An act to increase the efficiency of the court of general sessions of the peace in the city and county of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,' passed April 4, 1866," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received and read, as follows:

IN ASSEMBLY, *April 21, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to provide for the better care of pauper and destitute children."

The vote on the final passage of said bill having been reconsidered, on motion of Mr. Hammond, and by unanimous consent, the same was amended as follows:

Section 1, engrossed bill, add, at the end thereof, the following: "but such justice of the peace, police justice or other magistrate, and also such county superintendent or overseer of the poor or other officers, shall commit such child or children, not above exempted, to some orphan asylum or other charitable or reformatory institution as now provided for by law."

Line 10, section 2, after the word "and," insert the words "also to cause the removal."

Same line and section, after the word "hereafter," insert the words "came under their care and control, or hereafter."

Add, at the end of section 2, the following:

"In placing any such child in any such institution, it shall be the duty of the officers, justice or person placing it there to commit such child to

an orphan asylum, charitable or other reformatory institution that is governed or controlled by officers or persons of the same religious faith as the parents of such child, as far as practicable."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Selkreg
Dayton	King	McGowan	Thompson
Dickinson	Laning	Middleton	Wellman
Dow	Lord	Parmenter	Wood
Fox	Lowery	Robertson	Woodin

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	King	McGowan	Thompson
Dayton	Laning	Middleton	Tobey
Dickinson	Lord	Parmenter	Wellman
Dow	Lowery	Robertson	Wood
Gross	Madden	Selkreg	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly sent for concurrence the following resolution :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 82, entitled "An act to reappropriate money for construction of new work upon, and extraordinary repairs of, the canals of the State, and for payment of awards made by the Canal Appraisers," for amendment.

On motion of Mr. Lord, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act in relation to the opening, widening and extension of streets, avenues and public places in the city of New York,' passed May 20, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to provide for the appointment of an inspector of

milk in and for the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act in relation to the improvement of the Fifth avenue in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr Lowery asked and obtained leave to introduce a bill entitled "An act to incorporate the Protectorate and Reformatory for Destitute Children from Oneida and adjacent counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act further to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady, and the several acts amendatory thereof,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend the act entitled an act to provide for the further supply of the city of Brooklyn with water, and for the payment of the expense thereof," passed February 18, 1871," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act in regard to sewerage and other improvements in Long Island City," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bill entitled as follows :

"An act to amend chapter 661 of the Laws of 1873, entitled 'An act to provide for the support and care of State paupers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend chapter 758 of the Laws of 1865, entitled 'An act to authorize the towns of Otsego, Hartwick and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley Railroad Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to the election of village officers in Geneva, Ontario county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act permitting fishing with gill nets for suckers in Schuyler's lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to authorize the court of oyer and terminer and court of sessions of the county of Kings to sentence prisoners convicted in said courts, of any offense, to the penitentiary of said county for any term for which they might be sentenced to a State prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 760 of the Laws of 1870 in reference to acquiring title to real estate for burial purposes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to parsonages in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act supplemental to chapter 550 of the Laws of 1873, entitled 'An act to extend the time for the completion of the Boston, Hartford and Erie Railroad, by the New York and New England Railroad Company,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to habitual drunkards, vagrants and prostitutes in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the city of Troy to refund a portion of its bonded debt," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Parmenter, and by unanimous consent, the rules were suspended, in order that said bill might be considered in the first committee of the whole.

"An act to authorize the appointment and employment of a stenographer for the recorder's court of the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the taking of certain lands in the city of Buffalo for the purpose of the continuation of Fillmore avenue from its present southerly termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to provide for the payment of services rendered in the opening and laying out of streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act in relation to the improvement of the Croton aqueduct in the city of New York," which was read the first time, and by unanimous

consent was also read the second time and referred to the committee on the affairs of cities.

"An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways,' " which was read the first time, and by unanimous consent was also read the second time and referred to the committee on roads and bridges.

"An act to authorize the trustees of the village of Salem, Washington county, New York, to raise by tax upon the village a sum of money for the purpose of procuring a steam fire engine and apparatus, and digging fire wells for the fire department in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act further to amend chapter 857 of the Laws of 1873, entitled 'An act in relation to the keeping open of certain public offices in the county of Kings,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend section 10 of chapter 830 of the Laws of 1873, entitled 'An act to legalize the adoption of minor children by adult persons,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for an assessment for regulating, grading and sewerage, parts of the Tenth avenue, and Ninety-third street in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend an act to provide for the care of the lands and buildings known as Washington Headquarters in the city of Newburgh, and the property connected therewith, passed May 11, 1874, chapter 426."

"An act to amend chapter 836 of the Laws of 1873, entitled 'An act to regulate places of public amusement in the city of New York.' "

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office."

"An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children, on the Cattaraugus reservation, and to provide for its management and maintenance."

"An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bill, with a message that they had non-concurred in the passage of the same:

"An act to amend the Code of Procedure."

The Assembly bill entitled "An act to repeal chapter 419 of the Laws of 1874, entitled 'An act to enable the town of Sardinia, Erie county, to raise money to build a town hall,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg
Cole	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin
Fox	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to coroners' fees and post-mortem examinations in Erie county," having been announced for a third reading,

On motion of Mr. Laning, and by unanimous consent, was amended as follows :

Section 1, strike out the words "one thousand five hundred," and insert in lieu thereof the words "two thousand."

Section 4, line 4, after the word "to," insert the words "the salaries of the coroners of said county, so far as applicable to the present year, and to."

Said bill was then read a third time.

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Robertson
Dayton	Jacobs	Lowery	Selkreg
Dickinson	King	McGowan	Thompson
Dow	Laning	Middleton	Wood
Fox	Ledwith	Parmenter	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 26 of the Laws of 1874, entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith for the use of the Methodist Episcopal Church,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Dayton	King	McGowan	Selkreg
Dickinson	Laning	Middleton	Wellman
Dow	Ledwith	Moore	Wood
Fox	Lord	Parmenter	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 248 of the Laws of 1872, entitled 'An act to authorize the formation, establishing and maintaining of driving park and park associations,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Cole	Jacobs	McGowan	Selkreg
Dayton	King	Middleton	Thompson
Dickinson	Laning	Moore	Wellman
Dow	Ledwith	Parmenter	Woodin
Fox	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the city of Utica to provide a building for fire department purposes, and borrow and disburse money to pay for the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Cole	King	Middleton	Thompson
Dayton	Laning	Moore	Wellman
Dickinson	Ledwith	Parmenter	Wood
Dow	Lord	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to facilitate the distribution of the property and effects of the Eclectic Life Insurance Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Robertson
Cole	Gross	Lowery	Selkreg
Dayton	King	Middleton	Thompson
Dickinson	Laning	Moore	Wellman
Dow	Ledwith	Parmenter	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the religious society in the city of New York, known as the Temple Bethel, to buy and hold land for cemetery purposes," having been announced for a third reading,

On motion of Mr. King, and by unanimous consent, said bill was amended as follows:

Section 1, line 8, change the word "Bethel," to "Beth-El."

Amend the title by changing the name "Bethel," to Beth-El."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Middleton	Selkreg
Coe	King	Moore	Thompson
Dayton	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Wood
Dow	Lowery	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to regulate elections in the city of Brooklyn,'" reported adversely thereto.

Mr. Jacobs moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Dayton	Jacobs	Ledwith	Parmenter
Fox	Laning	Moore	Ray

8

FOR THE NEGATIVE.

Booth	Dow	McGowan	Wellman
Coe	King	Middleton	Wood
Cole	Lord	Robertson	Woodin
Dickinson	Lowery	Selkreg	

15

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill rejected.

Mr. King offered the following:

Whereas, In the year 1872 resolutions were passed requesting the Governor to apply to the President of the United States to appoint

three officers in the service of the United States to examine and revise the exterior pier and bulk-head lines of the harbor of New York, on the Brooklyn side; and, whereas, an equal necessity has arisen for such revision upon the shores of Staten Island; therefore,

Resolved (if the Assembly concur), That the Governor be requested to apply to the President of the United States to appoint the same or equally competent officers in the service of the United States to examine and revise the exterior pier and bulk-head lines of the harbor of New York, on the Staten Island side, and report such revised line to the Legislature.

On motion of Mr. King, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

An act to carry into effect the command of section 7 of article 10 of the Constitution, by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal."

After some time spent therein, the President resumed the chair, and Mr. King, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act creating the office of Inspector of Public Works."

After some time spent therein the President resumed the chair, and Mr. Ledwith, from said committee, reported in favor of the passage of said bill, with amendments.

Mr. King moved to amend the report so that the appointment of the Inspector of Public Works shall be by and with the advice of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Ray
Coe	Dow	Madden	Selkreg
Cole	King	McGowan	Thompson . 12

FOR THE NEGATIVE.

Fox	Lord	Moore	Tobey
Gross	Lowery	Parmenter	Wellman
Jacobs	Middleton	Robertson	Woodin
Ledwith			13

Mr. Laning moved to disagree with the report of the committee, and that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.			
Booth	King	Lord	Ray
Coe	Laning	Madden	Woodin
			8
FOR THE NEGATIVE.			
Dow	Ledwith	Moore	Thompson
Fox	Lowery	Parmenter	Tobey
Gross	McGowan	Robertson	Wellman
Jacobs	Middleton	Selkreg	15

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill ordered to a third reading.

On motion of Mr. Middleton, the Senate went into executive session; and, after some time spent therein, the doors were opened and the Senate resumed legislative business.

Mr. Wellman moved that the Assembly bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled "An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the Military Code," be made a special order for this evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

On motion of Mr. Middleton, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to elections in the city and county of New York, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat,' passed May 14, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to authorize the board of supervisors of the county of Westchester to build an insane asylum," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Moore asked and obtained leave to introduce a bill entitled "An act in relation to the slaughtering and converting of animals into articles of merchandise and commerce in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to amend, consolidate and reduce to one act, the various acts relative to the common schools of the city of New York,' passed July 3, 1851, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act for the relief of Ferdinand S. Hahn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 835 of the Laws of 1873, entitled 'An act to authorize The Binghamton, Dushore and Williamsport Railroad Company to lay a railroad track on the tow-path of that part of the Chenango canal extension, which lies south of the Susquehanna river,' and supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to legalize the acts of Charles D. Barrows as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Robertson moved that the Assembly bill entitled "An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors," be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to incorporate the Twelfth Ward Savings Bank in the city of New York," with a message that they had consented to a committee of conference, and appointed as such committee Messrs. Smith, T. C. Campbell, Reilly, Coffey and Vosburgh.

Mr. Dow, from the committee on public health, to which was recommended the Assembly bill entitled "An act for the prevention of adulteration of food, drink and drugs," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Madden, from the committee on railroads, to which was referred the Assembly bill entitled "An act supplemental to chapter 550 of the Laws of 1873, entitled 'An act to extend the time for the completion of the Boston, Hartford and Erie Railroad, by the New York and New England Railroad Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the following resolution :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of the Assembly bill No. 109 entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' and the act amending the same," for correction.

On motion of Mr. Ray, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, the rules were suspended, and the Clerk ordered to return said resolution to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That 2,500 copies of the Twenty-first Annual Report of the Superintendent of Public Instruction be printed in the usual form, of which 1,000 copies shall be for the use of the Legislature, one copy for each school district and school commissioner in the

State, and 500 copies to be bound in cloth for the use of the Department of Public Instruction.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to confirm and legalize certain acts of the common council of the city of Elmira," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That the Regents of the University cause to be printed 2,000 copies of the revised report on the noxious, beneficial, and other insects of the State, by Dr. Asa Fitch, late State Entomologist, with the requisite illustrations and figures; 300 of such copies to be retained by the Regents for exchange; 100 copies to be delivered to the State Agricultural Society; one copy to each Agricultural Society in the State; five copies to each member of the Legislature, and the remainder to be kept on sale by the Secretary of State at, or nearly as may be, the cost of publication; that such publication be under the editorship of said Asa Fitch, provided his remuneration therefor shall not exceed the sum of three hundred dollars, and that the bills for the editing, printing, engraving, and binding of said report be paid by the Comptroller upon the certificate of the Chancellor of the University, the whole expense of same not to exceed five thousand dollars.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to provide for an assessment for regulating, grading and sewerage parts of the Tenth avenue and Ninety-third street, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act in relation to the improvement of the Croton aqueduct in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parmenter, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend section 1, section 4 and section 21 of chapter 34 of the Laws of 1853, entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act to repeal section 3 of chapter 180 of the Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax in aid of Friendship Academy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Coe	Jacobs	McGowan	Robertson
Dickinson	King	Middleton	Selkreg
Dow	Lowery	Parmenter	Tobey
Fox	Madden	Ray	Woodin
Gross			17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. McGowan moved that the Assembly bill entitled "An act further to amend section 28 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" be recommitted to the committee on internal affairs, with instructions to strike out the first section thereof.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs moved that the Assembly bill entitled "An act to amend the act entitled 'An act to provide for the further supply of the city of Brooklyn with water and for the payment of the expense thereof,' passed February 18, 1871," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

On motion of Mr. Woodin, and by unanimous consent, the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 22, 1869," was ordered considered in the first committee of the whole.

On motion of Mr. Gross, and by unanimous consent, the bill entitled "An act to authorize the board of police of the city of New York to grant new trials," was ordered considered in the first committee of the whole not full.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 22, 1869."

Assembly, "An act to authorize the city of Troy to refund a portion of its bonded debt."

Assembly, "An act to amend the act entitled 'An act to provide for the further supply of the city of Brooklyn with water, and for the payment of the expense thereof,' passed February 18, 1871."

After some time spent therein the President resumed the chair, and Mr. Tobey, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Tobey, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Tobey, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Woodin moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be recommitted to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Selkreg, and by unanimous consent, the Assembly bill entitled "An act to reorganize the village of Canajoharie," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to provide for the organization and regulation of certain business corporations."

"An act to authorize the board of police of the city of New York to grant new trials."

Assembly, "An act to reorganize the village of Canajoharie."

After some time spent therein the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Lowery, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Lowery, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Selkreg moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act authorizing the improvement of Delaware street, in the city of Buffalo," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 30, 1866, passed February 17, 1872," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to authorize the trustees of the village of Salem, Washington county, New York, to raise by tax upon the village a sum of money for the purpose of procuring a steam fire engine and apparatus, and digging fire wells for the fire department in said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act in relation to the elec-

tion of village officers in Geneva, Ontario county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act in relation to the marine court of the city of New York."

Assembly, "An act to amend section 9 of chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies.'"

"An act to amend an act entitled 'An act to authorize William Hilliker to establish and maintain a ferry across the Cayuga lake at Cayuga bridge,' passed April 20, 1871."

After some time spent therein the President resumed the chair, and Mr. King, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. King, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Dow, and by unanimous consent, the Assembly bill entitled "An act to amend section 1, section 4, and section 21 of chapter 34 of the Laws of 1858 entitled 'An act to make school district number 9, in the town of Pomfret a union free school district,'" was ordered considered in the first committee of the whole.

On motion of Mr. Madden, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act supplemental to chapter 550 of the Laws of 1873, entitled 'An act to extend the time for the completion of the Boston, Hartford and Erie Railroad, by the New York and New England Railroad company,'" was read a third time.

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Dickinson	King	Madden	Ray
Dow	Laning	McGowan	Robertson
Fox	Ledwith	Middleton	Wellman
Gross	Lord	Moore	Woodin
Jacobs	Lowery	Parmenter	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Parmenter, and by unanimous consent, the Assembly bill entitled "An act to authorize the trustees of the village of Salem, Washington county, New York, to raise by tax upon the village a sum of money for the purpose of procuring a steam fire engine and apparatus, and digging fire wells for the fire department in said village," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend section 1, section 4, and section 21 of

chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 2, in the town of Pomfret, a union free school district.'

"An act to extend the authority of the supreme court in proceedings by writ of mandamus, to correct errors in the determination of boards of county canvassers."

Assembly, "An act to authorize the trustees of the village of Salem, Washington county, New York, to raise by tax upon the village a sum of money for the purpose of procuring a steam fire engine and apparatus, and digging fire wells for the fire department in said village."

After some time spent therein the President resumed the chair, and Mr. Ray, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Ray, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ray, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. King, and by unanimous consent, the bill entitled "An act ceding jurisdiction over certain land under water in Cold Spring Harbor, Queens county, Long Island, for light-house purposes of the United States," was ordered considered in the first committee of the whole.

The Senate again resolved itself into committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act for the protection of fish in Hoffman pond, in Claverack, Columbia county; also in Round lake, Saratoga county."

Assembly, "An act to authorize the lighting of public streets and avenues in the town of Fishkill, county of Dutchess."

"An act ceding jurisdiction over certain land under water in Cold Spring Harbor, Queens county, Long Island, for light-house purposes of the United States."

After some time spent therein the President resumed the chair, and Mr. Wellman, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Wellman, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. McGowan, the Senate adjourned.

FRIDAY, APRIL 23, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Dow presented two remonstrances of inhabitants of Chautauqua and Cattaraugus counties against a reduction of tolls on the canals; which was read and referred to the committee on canals.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize and confirm th

official acts of Milton J. Baker, as coroner of the county of Delaware," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to habitual drunkards, vagrants and prostitutes in the city of Buffalo," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize and confirm the vote of the electors of the town of Salamanca, Cattaraugus county, at the annual town meeting held on the 24th day of February, 1874, in relation to building a fence around the burying-ground in the village of Salamanca, and to levy and collect a tax on said town to pay the expenses thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 10 of chapter 830 of the Laws of 1873, entitled 'An act to legalize the adoption of minor children by adult persons,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts of James A. Wright as justice of the peace in and for the county of Cayuga," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 760 of the Laws of 1870 in reference to acquiring title to real estate for burial purposes,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 8, part 2, of the Revised Statutes, entitled 'of the Domestic Relations,'" reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Selkreg moved that the bill entitled "An act to amend chapter 291 of the Laws of 1869, entitled 'An act to incorporate the city of Binghamton, and the several acts amending the same,'" be recommitted to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal."

"An act to amend an act entitled 'An act to authorize William Hilliker to establish and maintain a ferry across the Cayuga lake at Cayuga bridge,' passed April 20, 1871."

"An act in relation to the marine court of the city of New York."

"An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 22, 1869."

"An act to authorize the board of police of the city of New York to grant new trials."

"An act to extend the authority of the supreme court in proceedings by writ of mandamus, to correct errors in the determination of boards of county canvassers."

"An act ceding jurisdiction over certain land under water in Cold Spring harbor, Queens county, Long Island, for light-house purposes of the United States."

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the city of Elmira to pay claims for damages to certain lands caused by the erection of an elevated bridge upon Washington street, in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to confirm the title of certain lands situate in the city of Newburgh to the grantees and heirs at law of Francis Wilson (alien), late of said city, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release to Maria Allen the right, title, and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Protectorate and Reformatory for Destitute Children from Oneida and adjacent counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act for laying out and constructing a canal in continuation of Bushwick creek, in the city of Brooklyn, and for the construction of docks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize the common council of the city of Buffalo to order to be assessed and to cause to be raised by local assessment the amount of the expenses incurred in rebuilding the westerly end of the sewer in Breckenridge street, in said city, upon and from the lands benefited thereby," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to repeal chapter 346 of the Laws of 1870, entitled 'An act authorizing the election of a police justice in the village of Tonawanda,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act entitled 'An act to enable the town of Queensbury, in the county of Warren, to use certain moneys now in the hands of the supervisor of said town for the construction of an iron bridge across the Hudson river at Glens Falls, in said town,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the election of a police constable in the village of McGrawville, Cortland county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend chapter 729 of the Laws of 1871, entitled 'An act authorizing the board of supervisors of the county of Essex to levy and assess certain taxes on certain lands in the town of Minerva, in said county,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of the Cypress Hills Cemetery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relative to the International Trust Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend chapter 321 of the Laws of 1873, entitled 'An act to amend an act entitled An act to incorporate the Eighth Ward Savings Bank of the city of New York,' passed March 22, 1871, and to change its name to Fifth Avenue Savings Bank, passed April 29, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town and of the debts thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to provide for the payment of jurors in protracted trials," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize the action of the village of Whitehall in acquiring title to certain lands, and erecting a building thereon, and authorizing the issuing of bonds of said village for the payment of the debt incurred in such erection, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 252 of the Laws of 1874, entitled 'An act to provide for supplying the village of Owego, in the county of Tioga, with water,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same, without amendment:

"An act to amend an act entitled 'An act to incorporate the village of New Berlin, in Chenango county,' passed April 28, 1870."

"An act for the relief of the grandchildren of Samuel F. Pratt, late of the city of Buffalo, deceased."

"An act to amend chapter 592 of the Laws of 1874, entitled 'An act to incorporate the Merchants' Loan Company.'"

"An act to release the interest and title of the people of the State of New York in and to certain real estate in the city of New York to Walter Bauendahl and Leonard J. Stiastry."

"An act to incorporate the Hornellsville fire department."

"An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with messages that they had concurred in the amendments of the Senate thereto:

"An act in relation to the general terms of the supreme court in the third judicial department."

"An act to amend chapter 135 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Jamaica, Queens county.'"

"An act to amend chapter 476 of the Laws of 1859, entitled 'An act to supply vacancies in the office of justices of the peace of the several towns of this State.'"

"An act to provide for the better care of pauper and destitute children."

"An act to authorize the religious society in the city of New York, known as the Temple Beth-El, to buy and hold land for cemetery purposes."

"An act in relation to coroners' fees and post-mortem examinations in Erie county."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the Assembly bill entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874," with a message that they do not concur in the amendments of the Senate thereto, request a committee of conference thereon, and had appointed as such committee on their part, Messrs. Page, Davis, Kshinka, Alvord and W. Miller.

Mr. Cole moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Cole, McGowan and Laning.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

Mr. Gross called for the consideration of the resolution in the words following:

Resolved (if the Senate concur), That the Senate and Assembly will adjourn *sine die* on Friday, the 23d inst., at twelve o'clock, noon.

Mr. Jacobs moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gross offered the following :

Resolved (if the Assembly concur), That the Legislature adjourn *sine die* on May 5, 1875.

Ordered, That said resolution be laid upon the table.

The Assembly bill entitled "An act to amend section 9 of chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Moore	Selkreg
Cole	Laning	Parmenter	Wellman
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin
Gross			

17

FOR THE NEGATIVE

King

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Jacobs offered the following :

Resolved, That a respectful message be sent to the Assembly requesting the return of Assembly bill No. 417, entitled "An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 22, 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Cole	Jacobs	Moore	Thompson
Dayton	King	Parmenter	Wellman
Dow	Laning	Ray	Wood
Fox	Lord	Robertson	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the authority of the supreme court in proceedings by writ of mandamus, to correct errors in the determination of boards of county canvassers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Middleton	Selkreg	
Cole	Jacobs	Moore	Thompson	
Dayton	King	Parmenter	Wellman	
Dow	Laning	Ray	Wood	
Fox	Lowery	Robertson	Woodin	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize William Hilliker to establish and maintain a ferry across the Cayuga lake at Cayuga bridge,' passed April 20, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Moore	Thompson	
Cole	King	Parmenter	Tobey	
Dayton	Laning	Ray	Wellman	
Dow	Lowery	Robertson	Wood	
Fox	Middleton	Selkreg	Woodin	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the marine court of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Moore	Thompson	
Cole	King	Parmenter	Tobey	
Dayton	Laning	Ray	Wellman	
Dickinson	Lowery	Robertson	Wood	
Dow	Middleton	Selkreg	Woodin	
Fox				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the board of police of the city of New York to grant new trials," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Moore	Thompson
Cole	King	Parmenter	Tobey
Dayton	Laning	Ray	Wellman
Dickinson	Lowery	Robertson	Wood
Dow	Middleton	Selkreg	Woodin
Gross			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the lighting of public streets and avenues in the town of Fishkill, county of Dutchess," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Middleton	Selkreg
Cole	King	Moore	Thompson
Dayton	Laning	Parmenter	Tobey
Dickinson	Ledwith	Ray	Wellman
Dow	Lowery	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act for the protection of fish in Hoffman pond, in Claverack, Columbia county; also in Round lake, Saratoga county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Madden	Robertson
Cole	Jacobs	Middleton	Tobey
Dayton	King	Moore	Wellman
Dickinson	Laning	Parmenter	Wood
Dow	Ledwith	Ray	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the trustees of the village of Salem, Washington county, New York, to raise by tax upon the village a sum of money for the purpose of procuring a steam fire engine and apparatus, and digging fire wells for the fire department in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	King	Madden	Robertson
Cole	Laning	Middleton	Selkreg
Dayton	Ledwith	Moore	Thompson
Dickinson	Lord	Parmenter	Wellman
Dow	Lowery	Ray	Woodin
Jacobs			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the city of Troy to refund a portion of its bonded debt," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Madden	Selkreg
Cole	King	Moore	Thompson
Dayton	Laning	Parmenter	Tobey
Dickinson	Ledwith	Ray	Wellman
Dow	Lowery	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend section 1, section 4 and section 21 of chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Middleton	Selkreg
Cole	King	Moore	Thompson
Dayton	Laning	Parmenter	Tobey
Dickinson	Ledwith	Ray	Wellman
Dow	Lowery	Robertson	Woodin
Fox	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to regulate the use of slips, wharves and piers in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Middleton	Selkreg
Cole	King	Moore	Thompson
Dayton	Laning	Parmenter	Tobey
Dickinson	Ledwith	Ray	Wellman
Dow	Lord	Robertson	Woodin
Fox	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the organization and regulation of certain business corporations," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Middleton	Tobey
Cole	King	Moore	Wellman
Dayton	Laning	Parmenter	Wood
Dow	Madden	Robertson	Woodin
Gross	McGowan	Thompson	

19

FOR THE NEGATIVE.

Dickinson	Ledwith		
-----------	---------	--	--

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act ceding jurisdiction over certain land under water in Cold Spring harbor, Queens county, Long Island, for light-house purposes of the United States," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg
Cole	Jacobs	Middleton	Thompson
Dayton	King	Moore	Wellman
Dickinson	Laning	Parmenter	Wood
Dow	Ledwith	Ray	Woodin
Fox	Madden	Robertson	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to reorganize the village of Canajoharie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	King	Middleton	Selkreg
Cole	Laning	Moore	Thompson
Dayton	Ledwith	Parmenter	Wellman
Dickinson	Madden	Ray	Wood
Dow	McGowan	Robertson	Woodin
Gross			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled an act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal," having been announced for a third reading,

Mr. Jacobs moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative as follows :

FOR THE AFFIRMATIVE.

Dayton	King	McGowan	Robertson
Fox	Ledwith	Moore	Tobey
Gross	Lowery	Parmenter	Wood
Jacobs	Madden		

14

FOR THE NEGATIVE.

Booth	Dow	Middleton	Thompson
Coe	Laning	Ray	Wellman
Cole	Lord	Selkreg	Woodin
Dickinson			

13

Mr. Woodin moved to reconsider the vote by which said bill was laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Selkreg
Coe	Jacobs	Middleton	Thompson
Cole	King	Moore	Tobey
Dayton	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin
Fox	Lowery		

26

FOR THE NEGATIVE.

Madden

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act creating the office of Inspector of Public Works," having been announced for a third reading,

Mr. King moved that said bill be recommitted to the committee on the judiciary, with instructions to amend as follows:

Amend section 1 of said bill, in the second line, by striking out after the word "Governor," the words "and may be removed by him at pleasure," and inserting in lieu thereof the words "by and with the consent of the Senate; said officer may be removed by the Governor at pleasure, who shall report the same to the Senate, if at the time in session, or within thirty days after the meeting of the Legislature next ensuing."

The President then put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Selkreg	
Coe	Dow	Madden	Thompson	
Cole	King	McGowan		11

FOR THE NEGATIVE.

Dayton	Ledwith	Moore	Tobey	
Fox	Lord	Parmenter	Wellman	
Gross	Lowery	Ray	Wood	
Jacobs	Middleton	Robertson	Woodin	16

On motion of Mr. King, and by unanimous consent, said bill was amended by inserting, at the end of section 5, the words "and such inspector shall make full report of his proceedings to the Legislature on or before the 15th of January of each year."

Mr. Ray moved that said bill be recommitted to the committee on the judiciary, with instructions to so amend "that the duties of the inspector shall be confined to the canals of the State."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, as amended and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Dayton	Jacobs	Middleton	Robertson	
Dickinson	Laning	Moore	Tobey	
Dow	Ledwith	Parmenter	Wood	
Fox	Lowery	Ray	Woodin	
Gross	McGowan			18

FOR THE NEGATIVE.

Booth	King	Madden	Thompson	
Coe	Lord	Selkreg	Wellman	
Cole				9

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act further to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to provide for the further supply of the city of Brooklyn with water, and for the payment of the expense thereof,' passed February 18, 1871," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Jacobs moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Madden asked and obtained leave to introduce a bill entitled "An act to amend section 48 of chapter 3 of part 2 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to committee on the judiciary.

Mr. Middleton offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return to the Senate of the bill entitled "An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874, being Senate bill No. 146."

On motion of Mr. Middleton, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled "An act to authorize the trustees of the village of West Troy to issue bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon," with a message that they had passed the same, with the following amendments:

Change section 4 to section 5, and insert, as section 4, the following:

"§ 4. Before any bonds shall be issued under this act, a copy of the contract which is proposed to be entered into between said company, and said village shall, together with the question 'Shall bonds, as aforesaid, be issued?' be submitted to a meeting of the taxable inhabitants of said village at a tax meeting to be called under the provision of the charter of said village, and if a majority of such tax-payers shall vote affirmatively thereon, said bonds shall be issued for the purpose as aforesaid and not otherwise."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Middleton	Selkreg
Cole	King	Moore	Thompson
Dayton	Laning	Parmenter	Tobey
Dickinson	Ledwith	Ray	Wellman
Dow	Lord	Robertson	Woodin
Fox	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend chapter 758 of the Laws of 1865, entitled 'An act to authorize the towns of Otsego, Hartwick and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley Railroad Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act relating to free instruction in drawing," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act relative to certain lands in the village of Flushing, devised by Silas Hicks, deceased, to his wife (since deceased) during the term of her life, and upon her decease to trustees, and to authorize the sale thereof and the disposition of the proceeds of sale in accordance with the provisions of said will," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wood moved that the Assembly bill entitled "An act to provide for the support of government," be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to facilitate the distribution of the property and effects of the Tontine Life Insurance Company."

"An act to amend chapter 320 of the Laws of 1872, entitled 'An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulk-heads and slips, in the cities of New York and Brooklyn.'"

Assembly, "An act to enable married women to release and to confirm releases of dower and inchoate rights of dower in certain cases."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the first named bill, with amendments, the title thereof amended by inserting the word "American," before the word "Tontine," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dow, from the same committee, reported in favor of the passage

of the last named bill, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Gross, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Cole	King	Middleton	Thompson
Dayton	Laning	Moore	Wellman
Dow	Ledwith	Parmenter	Wood
Fox	Lord	Ray	Woodin
Gross	Lowery	Robertson	19

FOR THE NEGATIVE.

Selkreg

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Woodin moved that the Assembly bill entitled "An act to reduce rates of ferriage on certain ferry routes between the city of New York and the Seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries," be recommitted to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act further to amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York.'"

"An act to further amend chapter 346 of the Laws of 1863, entitled 'An act empowering railroad companies to employ police force.'"

"An act to amend chapter 497 of the Laws of 1869, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county, and supplementary thereto.'"

After some time spent therein, the President resumed the chair, and Mr. Dayton, from the said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Dayton, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the board of supervisors of the county of Westchester to build an insane asylum," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood moved that the Assembly bill entitled 'An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of

the State of New York and for the public defense, and entitled the Military Code," be made a special order for this evening at half-past seven o'clock, and that a session for that purpose be held at that time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Ledwith moved that when the Senate adjourns to-day it adjourn to meet on Monday evening next at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Cole	Jacobs	Lowery	Ray
Dayton	Ledwith	Middleton	Tobey
Fox	Lord	Moore	Wellman
Gross			

19

FOR THE NEGATIVE.

Dow	Robertson	Thompson	Woodin
King	Selkreg	Wood	

7

On motion of Mr. Woodin, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act further to amend chapter 857 of the Laws of 1873, entitled 'An act in relation to the keeping open of certain public offices in the county of Kings,'" reported in favor of the passage of the same, with amendments, the title amended so as to read 'An act in relation to the keeping open of certain public offices in the counties of Queens and Richmond,' and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to authorize the town of Newfane, in the county of Niagara, to raise money to build a town house," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act further to amend chapter 305 of the Laws of 1844, entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor, in the several cities in this State (except the city of New York), and in the villages of Syracuse, Williamsburg, Geneva, Canandaigua, Owego and Auburn,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 489 of the Laws of 1873, entitled 'An act to amend an act entitled An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rock-and, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,'

passed April 17, 1854, and as amended by chapter 558 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga,' and said bill was committed to the committee of the whole.

Mr. Robertson moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows :

"An act to increase the efficiency of the court of general sessions of the peace in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to confirm, reduce and levy a certain assessment for improving Morton street, in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to make further provision for the payment of further expenses of the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to provide for a uniform system of paving and repaving of the streets, avenues and public places of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to provide means for the establishment and equipment of the building erected on that portion of the Central park formerly known as Manhattan square, in the city of New York, under the provisions of chapter 290, Laws of 1871, for the purposes of a museum of natural history," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to confirm the title of the Associate Congregation of Bovina to its real and personal estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend section 1 of chapter 702 of the Laws of 1872, entitled 'An act to improve and regulate the use of the Fourth avenue in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly returned the resolution recalling from the Governor the bill entitled "An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874," with a message that they had concurred in the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows :

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the Military Code.'"

After some time spent therein, the President resumed the chair, and

Mr. Parmenter, from said committee, reported in favor of the passage the said named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Wellman, and by unanimous consent, the bill entitled "An act to legalize the execution of a certain mortgage by the Belmont Manufacturing Company, and the proceedings of foreclosure founded thereon," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act in regard to sewerage and other improvements in Long Island City."

Assembly, "An act to amend chapter 773 of the Laws of 1867, entitled 'An act to amend the charter of the Brooklyn Life Insurance Company.'"

"An act to legalize the execution of a certain mortgage by the Belmont Manufacturing Company, and the proceedings of foreclosure founded thereon."

After some time spent therein the President resumed the chair, and Mr. Thompson, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Thompson, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Dow, and by unanimous consent, the Assembly bill entitled "An act to amend chapter 345 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State,'" was ordered to be considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act relating to the construction of sidewalks upon Ellicott avenue, in the village of Batavia."

"An act to amend chapter 345 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State.'"

"An act to extend the time for the exercise and discharge of the official duties, and for the completion of the work of the commissioners of streets, roads, avenues, and parks in Long Island City."

After some time spent therein the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Lowery, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town."

"An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes, passed April 20, 1866, as to travel fees of constables."

After some time spent therein the President resumed the chair, and Mr. Wood, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act for the preservation of fish in the waters of Oak Orchard creek, in the counties of Genesee and Orleans," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Cole, and by unanimous consent, the rules were suspended, and said bill was ordered considered in the first committee of the whole.

Mr. Wellman offered the following :

Resolved (if the Assembly concur), That article 5 of the Constitution be amended so as to read as follows :

"SECTION 1. There shall be a board of managers of prisons, to be composed of five persons, appointed by the Governor, by and with the advice and consent of the Senate, who shall hold office for ten years, except that the five first appointed shall, as the Legislature may direct, be so classified that the term of one shall expire at the end of each two years during the first ten years. The board shall have the charge and superintendence of the State prisons, and shall have such powers and perform such duties in respect to the county jails, the local or district penitentiaries and other penal or reformatory institutions as the Legislature may prescribe. The board shall appoint a secretary who shall be removable at their pleasure, who shall perform such duties as the Legislature or the board may direct. The compensation of the members of the board and of the secretary shall be determined by the Legislature. .

"§ 2. Such board shall appoint the superintendent (or chief officer), the clerk, physician and chaplain of each State prison, and shall have power to remove either of such officers, for cause only, after opportunity to be heard in his own defense, upon written charges. All other officers of each prison shall be appointed by the superintendent (or chief officer) thereof, and shall be removable at his pleasure."

This amendment is in lieu of section 4.

Ordered, That said resolution be laid upon the table.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act for the preservation of fish in the waters of Oak Orchard creek, in the counties of Genesee and Orleans."

"An act to legalize the acts of James A. Wright, a justice of the peace in and for the county of Cayuga."

"An act to prevent the taking of fish from Summer Hill lake, its inlet or outlet in the town of Summer Hill, in the county of Cayuga."

After some time spent therein, the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and said bills ordered to a third reading.

On motion of Mr. Lowery, and by unanimous consent, the Assembly bill entitled "An act to amend and supplementary to chapter 362 of the Laws of 1872, entitled 'An act to incorporate the Mutual Trust Institution of New York,'" was ordered to be considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to legalize and confirm the vote of the electors of the town of Salamanca, Cattaraugus county, at the annual town meeting, held on the 24th day of February, 1874, in relation to building a fence around the burying-ground in the village of Salamanca, and to levy and collect a tax on said town to pay the expenses thereof."

"An act to legalize and confirm the official acts of Milton J. Baker as coroner of the county of Delaware."

"An act to amend and supplementary to chapter 362 of the Laws of 1872, entitled 'An act to incorporate the Mutual Trust Institution of New York.'"

After some time spent therein the President resumed the chair, and Mr. Tobey, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Wellman, from the committee on the militia, to which was recommended the bill entitled "An act further to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin moved to reconsider the vote by which the motion, that when the Senate adjourns to-day, it adjourn to meet on Monday evening at half-past seven o'clock, was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin moved to amend said motion by striking out the words "Monday evening at half-past seven o'clock," and inserting the words "to-morrow morning at ten o'clock."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative.

On motion of Mr. Woodin, the Senate adjourned.

SATURDAY, APRIL 24, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Jacobs, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend the charter of the city of

Brooklyn and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn, passed June 1, 1874," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Jacobs, from the committee on finance, to which was referred the bill entitled "An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the Bay of New York, or Raritan bay, within the jurisdiction of the State of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 3 of title 4 of chapter 8 of part 3 of the Revised Statutes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the better suppression of vice and of obscene literature," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly re-engrossed the bill entitled as follows :

"An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon."

Mr. Robertson moved that the Assembly bill entitled "An act in relation to county treasurers," as amended be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to prevent individuals and corporations not banking corporations from doing business under names indicating that they are incorporated banks or banking institutions."

"An act to prevent the mutilation of shade trees."

"An act to amend chapter 496 of the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions.'"

After some time spent therein, the President resumed the chair, and Mr. Cole, from said committee, reported in favor of the passage of the first and last named bills, with amendments, which report was agreed to, and said bills ordered to a third reading.

Mr. Cole from the same committee, reported in favor of the passage of the second named bill, with amendments, the title amended so as to read "An act to prevent the mutilation of shade or ornamental trees," which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Jacobs, and by unanimous consent, the bill entitled "An act to amend an act entitled 'An act to authorize William Beard and others to erect, construct, build and maintain sea-walls or break-water, piers, docks, wharves, bulk-heads, piers and warehouses, and a basin for commercial use in front of their lands in the Twelfth ward of the city of Brooklyn,' passed April 24, 1862, and also to amend an act bearing the same title, passed April 30, 1866," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend section 1, chapter 33, of the Laws of 1874, entitled 'An act to amend section 1 of chapter 881 of the Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario."

Assembly, "An act for the relief of the New York and Yonkers Fire Insurance Company."

"An act to amend an act entitled 'An act to authorize William Beard and others to erect, construct, build and maintain sea-walls or breakwater piers, docks wharves, bulk-heads, piers and warehouses, and a basin for commercial use in front of their lands in the Twelfth ward of the city of Brooklyn,' passed April 24, 1862, and also to amend an act bearing the same title, passed April 30, 1866."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Johnson, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Jacobs, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to provide for the aid and support of the poor in the counties of Erie, Kings and New York," reported that they have had the same under consideration, have made some amendments thereto, have directed their chairman to report the same to the Senate for its consideration (Mr. Selkreg dissenting), and said bill was committed to the committee of the whole.

Mr. Jacobs moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to authorize the town of Newfane, in the county of Niagara, to raise money to build a town house."

"An act to confirm and levy certain assessments for street improvements, in the city of Albany, and to regulate the collection thereof."

"An act to amend chapter 790 of the Laws of 1872, entitled 'An act to establish a special road district and appropriate the highway taxes on the non-resident lands therein for the constructing of a road from Blood's hotel to Tupper's lake in Franklin county."

After some time spent therein the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of said bills, which report was agreed to and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act further to amend chapter 857 of the Laws of 1873, entitled

'An act in relation to the keeping open of certain public offices in the county of Kings.'

"An act in relation to the election of village officers in Geneva, Ontario county."

"An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

After some time spent therein, the President resumed the chair, and Mr. Wood, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Wood, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Selkreg, and by unanimous consent, the bill entitled "An act to authorize the commissioners of the town of Richford, in the county of Tioga, appointed under and by virtue of chapter 488 of the Laws of 1866, to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act, and falling due in 1876 and 1877," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the commissioners of the town of Richford in the county of Tioga, appointed under and by virtue of chapter 488 of the Laws of 1866, to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act, and falling due in 1876 and 1877."

Assembly, "An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872, and May 14, 1878."

After some time spent therein, the President resumed the chair, and Mr. Thompson, from the said committee, reported in favor of the passage of the first named bill, with amendments, the title amended by striking therefrom the words "and falling due in 1876, and 1877," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Thompson from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. King moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs moved that the senate do now adjourn until Monday evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate adjourned.

MONDAY, APRIL 26, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Saturday, April 24, was read and approved.

Mr. Woodin presented two remonstrances of citizens of the counties of Wayne and Cayuga against reduction of tolls on the canals; which were read and referred to the committee on canals.

Messrs. Lowery and Dow presented a remonstrance of citizens of Oneida and Cattaraugus counties upon the same subject; which was read and referred to the committee on canals.

Messrs. King and Gross presented a remonstrance of citizens of the city of New York against permitting life and other insurance companies to loan their capital out of the State; which was read and referred to the committee on the judiciary.

Mr. Selkreg presented the Report of the Clerk of the Court of Appeals, in response to a resolution of the Senate, relative to moneys held by him as such clerk; which was laid upon the table and ordered printed.

(*See Doc. No. 84.*)

The Assembly returned the following entitled bill:

"An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act relative to the incorporation of musical colleges, schools and academies."

"An act to amend the charter of the Arctic Fire Insurance Company in the city of New York, and to correct an act amending said charter, passed February 26, 1873."

"An act relative to The Farmers' Loan and Trust Company."

"An act to authorize the New York and Hudson Steamboat Company to mortgage its property."

"An act in relation to the St. Regis tribe of Indians, in the county of Franklin."

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of the trustees of the Parochial Fund of the Protestant Episcopal Church in the Diocese of Western New York,' passed March 26, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Ray asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise, amend and consolidate the several acts in relation to the charter of the

city of Hudson,' passed May 1, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to prevent fishing within three years in the waters of Lawson's and McCulloch's lake, in the county of Albany."

Assembly, "An act to extend the boundaries of the city of Utica westerly."

Assembly, "An act to legalize the official acts of the trustees of the village of Canton during the years 1874 and 1875, in selling the old engine-house property, in purchasing another lot and erecting a new engine-house thereon, in making and issuing the certificates of indebtedness of said village, and in raising money thereon to pay for said lot and building, and to legalize the vote and action of the electors of said village in that behalf."

After some time spent therein the President resumed the chair, and Mr. Laning, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Laning, from the same committee, reported in favor of the passage of the second and last named bills, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867, and the several acts amendatory thereof."

"An act to legalize and confirm the proceedings of the incorporation of the village of Canisteo, in the county of Steuben, and the election of the officers therein."

Assembly, "An act authorizing the city of Kingston to issue bonds in order to create a fund for the purpose of completing and furnishing the city hall in said city, and of paying for and improving the city hall lot."

After some time spent therein the President resumed the chair, and Mr. Cole, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Cole, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to authorize overseers of highways in the several road districts of this State to cause the removal of fences along public highways for the purpose of preventing the drifting of snow into such highways."

"An act relating to fares for carrying passengers on street railroads in the city of Buffalo."

Assembly, "An act to regulate coroners' inquests in the city and county

of New York, and to provide for the payment of services rendered by scientific persons as experts."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Bradley, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Bradley, from said committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act providing for the appointment of trustees of the estates of persons absenting themselves from their domiciles in this State, and remaining unheard of or suddenly disappearing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the following resolution :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of the Assembly bill No. 81, entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs, and maintenance of the canals for the fiscal year commencing on the first day of October, 1875," for amendment.

On motion of Mr. Cole, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend chapter 508 of the Laws of 1874, entitled 'An act to authorize the construction of a railway from Vesey street through certain streets in the city of New York to the South Ferry.' "

Assembly, "An act to authorize the town of Kinderhook to take a legacy under the will of Edward G. Miner, deceased."

Assembly, "An act to repeal chapter 20 of article 1, title 19 of part 1 one of the Revised Statutes, concerning brokers."

After some time spent therein, the President resumed the chair, and Mr. Fox, from the said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Fox, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Fox, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to increase the efficiency of the court of general sessions of the peace in the city and county of New York."

Assembly, "An act further to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schoenectady,' and the several acts amendatory thereof."

"An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860."

After some time spent therein the President resumed the chair, and Mr. Dickinson, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Gross moved that the committee on the judiciary be discharged from the further consideration of the Assembly bill entitled "An act to increase the efficiency of the court of general sessions of the peace of the city and county of New York," and that the same be substituted for the first above-named Senate bill, No. 259, same title, and ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dickinson, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Dickinson, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

By unanimous consent, Mr. Lansing asked and obtained leave to introduce a bill entitled "An act relating to the Buffalo East Side Street Railway Company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lansing, and by unanimous consent, the rules were suspended, and said bill was ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,' passed April 4, 1866."

Assembly, "An act in relation to the improvement of the Croton aqueduct in the city of New York."

"An act authorizing the improvement of Delaware street, in the city of Buffalo."

After some time spent therein, the President resumed the chair, and Mr. Middleton, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Middleton, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Middleton, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Dickinson, the Senate adjourned.

TUESDAY, APRIL 27, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Bradley presented five remonstrances of citizens of the counties of Chemung, Schuylcr and Steuben against reduction of tolls on the canals; which were read and referred to the committee on canals.

Mr. Selkreg presented a remonstrance of citizens of Tompkins county upon the same subject; which was read and referred to the committee on canals.

Mr. Dow, Mr. Dickinson and Mr. Lowery presented remonstrances of citizens of Chautauqua, Oneida and Franklin counties upon the same subject; which were read and referred to the committee on canals.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend chapter 252 of the Laws of 1874, entitled "An act to provide for supplying the village of Owego, in the county of Tioga, with water," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to provide for the election of a police constable in the village of McGrawville, Cortland county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to repeal chapter 346 of the Laws of 1870, entitled 'An act authorizing the election of a police justice in the village of Tonawanda," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act authorizing the improvement of Delaware street, in the city of Buffalo."

"An act to amend an act entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,' passed April 4, 1866."

"An act to prevent fishing within three years in the waters of Lawson's and McCulloch's lake, in the county of Albany."

"An act to legalize and confirm the proceedings of the incorporation of the village of Canisteo, in the county of Steuben, and the election of the officers therein."

"An act relating to the Buffalo East Side Street Railway Company."

"An act to authorize the commissioners of the town of Richford, in the county of Tioga, appointed under and by virtue of chapter 433 of the Laws of 1866, to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act."

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867, and the several acts amendatory thereof."

"An act to amend chapter 320 of the Laws of 1872, entitled 'An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulk-heads and slips, in the cities of New York and Brooklyn.'"

"An act to legalize the execution of a certain mortgage by the Belmont Manufacturing Company, and the proceedings of foreclosure founded thereon."

"An act to facilitate the distribution of the property and effects of the American Tontine Life Insurance Company."

"An act to amend an act entitled 'An act to authorize William Beard and others to erect, construct, build and maintain sea-walls or break-water piers, docks, wharves, bulk-heads, piers and warehouses, and a basin for commercial use in front of their lands in the Twelfth ward of the city of Brooklyn, passed April 24, 1862, and also to amend an act bearing the same title, passed April 30, 1866.'"

"An act to amend chapter 508 of the Laws of 1874, entitled 'An act to authorize the construction of a railway from Vesey street through certain streets in the city of New York to the South Ferry.'"

"An act relating to fares for carrying passengers on street railroads in the city of Buffalo."

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to committee on the judiciary.

The Assembly bill entitled "An act to amend chapter 773 of the Laws of 1867, entitled 'An act to amend the charter of the Brooklyn Life Insurance Company,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Middleton	Selkreg
Dickinson	King	Parmenter	Thompson
Dow	Laning	Ray	Wagner
Fox	Lowery	Robertson	Woodin
Gross	Madden		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to further amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Middleton	Selkreg
Dickinson	King	Parmenter	Thompson
Dow	Laning	Ray	Wagner
Fox	Lowery	Robertson	Woodin
Gross	Madden		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Parmenter
Dickinson	Jacobs	Madden	Ray
Dow	King	Middleton	Robertson
Fox	Laning		

14

The Assembly bill entitled "An act for the relief of the New York and Yonkers Fire Insurance Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Middleton	Selkreg
Dickinson	King	Parmenter	Thompson
Dow	Laning	Ray	Wagner
Fox	Lowery	Robertson	Woodin
Gross	Madden		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

The bill entitled "An act to legalize the execution of a certain mortgage by the Belmont Manufacturing Company, and the proceedings of foreclosure founded thereon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Dickinson	King	Middleton	Thompson
Dow	Laning	Parmenter	Wagner
Fox	Lowery	Ray	Woodin
Gross	Madden	Robertson	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill, entitled "An act to facilitate the distribution of the property and effects of the American Tontine Life Insurance Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Dickinson	King	Middleton	Thompson
Dow	Laning	Parmenter	Wagner
Fox	Lowery	Ray	Woodin
Gross	Madden	Robertson	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend and supplementary to chapter 362 of the Laws of 1872, entitled 'An act to incorporate the Mutual Trust Institution of New York,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Robertson
Dayton	Jacobs	McGowan	Selkreg
Dickinson	King	Middleton	Thompson
Dow	Laning	Parmenter	Wagner
Fox	Lowery	Ray	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to further amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,'" was read a third time.

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Ray
Dayton	Jacobs	McGowan	Robertson
Dickinson	King	Middleton	Thompson
Dow	Laning	Parmenter	Wagner
Fox	Lowery		
			18

FOR THE NEGATIVE.

Selkreg	Woodin	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872, and May 14, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Robertson
Dayton	Jacobs	McGowan	Selkreg
Dickinson	King	Middleton	Thompson
Dow	Laning	Parmenter	Wagner
Fox	Lowery	Ray	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 790 of the Laws of 1872, entitled 'An act to establish a special road district and appropriate the highway taxes on the non-resident lands therein for the constructing of a road from Blood's hotel to Tupper's lake in Franklin county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Robertson
Dayton	Jacobs	McGowan	Selkreg
Dickinson	King	Middleton	Thompson
Dow	Laning	Parmenter	Wagner
Fox	Lowery	Ray	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the keeping open of certain public offices in the counties of Queens and Richmond," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Middleton	Selkreg
Cole	Laning	Parmenter	Thompson
Dayton	Lowery	Ray	Wagner
Dow	McGowan	Robertson	Woodin
Jacobs			

FOR THE NEGATIVE.

Fox

Madden

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the town of Newfane, in the county of Niagara, to raise money to build a town house," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Robertson
Cole	Jacobs	McGowan	Selkreg
Dayton	King	Middleton	Thompson
Dickinson	Laning	Parmenter	Wagner
Dow	Lowery	Ray	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend section 1, chapter 33 of the Laws of 1874, entitled 'An act to amend section 1 of chapter 381 of Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Selkreg
Cole	Jacobs	Middleton	Thompson
Dayton	King	Parmenter	Wagner
Dickinson	Laning	Ray	Wood
Dow	Lowery	Robertson	Woodin
Fox	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

The Assembly bill entitled "An act to amend the act entitled 'An act to provide for the further supply of the city of Brooklyn with water, and for the payment of the expense thereof,'" passed February 18, 1871, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Middleton	Thompson
Cole	Laning	Parmenter	Wagner
Dayton	Lowery	Ray	Wood
Fox	Madden	Robertson	Woodin
Gross	McGowan	Selkreg	19

FOR THE NEGATIVE

Dow	1
-----	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to prevent the mutilation of shade or ornamental trees," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Selkreg
Cole	Jacobs	Middleton	Thompson
Dayton	King	Parmenter	Wagner
Dow	Laning	Ray	Wood
Fox	Lowery	Robertson	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize and confirm the official acts of Milton J. Baker as coroner of the county of Delaware," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Cole	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wagner
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin
Gross	Madden		22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to legalize and confirm the vote of the electors of the town of Salamanca, Cattaraugus county, at the annual town meeting held on the 24th day of February, 1874, in relation to building a fence around the burying ground in the village of Salamanca, and to levy and collect a tax on said town to pay the expenses thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Ray
Cole	Jacobs	Madden	Robertson
Dayton	King	McGowan	Selkreg
Dow	Laning	Middleton	Thompson
Fox	Lord	Parmenter	Wagner
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to prevent the taking of fish from Summer Hill lake, its inlet or outlet in the town of Summer Hill, in the county of Cayuga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Robertson
Cole	King	McGowan	Selkreg
Dayton	Laning	Middleton	Thompson
Dow	Lord	Parmenter	Wagner
Fox	Lowery	Ray	Woodin
Gross			
			21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to legalize the acts of James A. Wright, a justice of the peace in and for the county of Cayuga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Ray
Cole	Johnson	Madden	Robertson
Dayton	King	McGowan	Selkreg
Dow	Laning	Middleton	Thompson
Fox	Lord	Parmenter	Wagner
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Jacobs	McGowan	Thompson
Dayton	King	Middleton	Wagner
Dow	Laning	Parmenter	Wood
Fox	Lord	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act for the preservation of fish in the waters of Oak Orchard creek in the counties of Genesee and Orleans," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Cole	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wagner
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin
Gross	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Jacobs	Madden	Thompson
Dayton	King	McGowan	Wagner
Dow	Laning	Middleton	Wood
Fox	Lord	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 845 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State,' was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Jacobs	McGowan	Thompson
Dayton	King	Middleton	Wagner
Dickinson	Laning	Ray	Wood
Dow	Lord	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act relating to the construction of sidewalks upon Ellicott avenue in the village of Batavia," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Jacobs	McGowan	Thompson
Dayton	King	Middleton	Wagner
Dow	Laning	Parmenter	Wood
Fox	Lord	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Cole	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wagner
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin
Gross			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to further amend chapter 346 of the Laws of 1863, entitled 'An act empowering railroad companies to employ police force,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Jacobs	Madden	Thompson
Dayton	King	McGowan	Wagner
Dow	Laning	Middleton	Wood
Fox	Lord	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the election of village officers in Geneva, Ontario county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Selkreg
Cole	Gross	McGowan	Thompson
Dayton	Jacobs	Middleton	Wagner
Dickinson	King	Ray	Wood
Dow	Laning	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act authorizing the city of Kingston to issue bonds in order to create a fund for the purpose of completing and furnishing the city hall in said city, and of paying for and improving the city hall lot," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Jacobs	McGowan	Thompson
Dayton	King	Middleton	Wagner
Dickinson	Laning	Ray	Wood
Dow	Lord	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the town of Kinderhook to take a legacy under the will of Edward G. Miner, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Jacobs	McGowan	Thompson
Dayton	King	Middleton	Wagner
Dow	Laning	Ray	Wood
Fox	Lord	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize overseers of highways in the several road districts of this State to cause the removal of fences along public highways for the purpose of preventing the drifting of snow into such highways," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Jacobs	McGowan	Thompson
Dayton	King	Middleton	Wagner
Dow	Laning	Ray	Wood
Fox	Lord	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to prevent fishing within three years in the waters of Lawson's and McCulloch's lake in the county of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Cole	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wagner
Fox	Lord	Ray	Wood
Gross	Lowery	Robertson	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons as experts," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Cole	King	Middleton	Thompson
Dow	Laning	Parmenter	Wagner
Fox	Lord	Ray	Wood
Gross	Lowery	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize the commissioners of the town of Richford, in the county of Tioga, appointed under and by virtue of chapter 433 of the Laws of 1866, to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Cole	Jacobs	McGowan	Thompson
Dayton	King	Middleton	Wagner
Dow	Laning	Ray	Wood
Fox	Lowery	Robertson	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Woodin moved to take from the table the majority and minority reports of the special committee appointed by the Senate in the matter of the alleged improper insertions in the "supply bill" of 1874.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin offered the following :

Resolved, That the conclusions stated in the report of the majority of the Senate committee (and substantially concurred in by the minority), appointed to inquire into the matter of the alleged improper insertions in the supply bill of 1874, are, in the judgment of the Senate, fully sustained and justified by the evidence taken upon the investigations, and reported to the Senate.

Resolved further, That Senator Wood in the preparation and report of the supply bill of 1874 did nothing to justify censure or criticism, but on the contrary, was and is entitled to the thanks of the Senate for the unusual care by him bestowed upon the bill and report, and the perfect frankness with which he favored or opposed the various items of which it was composed.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Robertson
Cole	Jacobs	McGowan	Selkreg
Dickinson	King	Middleton	Thompson
Dow	Laning	Parmenter	Wagner
Fox	Lowery	Ray	Woodin

20

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April, 24, 1875. }

To the Senate :

Pursuant to a concurrent resolution of the Senate and Assembly, I have the honor to return herewith Senate bill No. 146, entitled "An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874."

SAMUEL J. TILDEN.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Robertson
Cole	King	McGowan	Selkreg
Dickinson	Laning	Middleton	Thompson
Dow	Lord	Parmenter	Wagner
Fox	Lowery	Ray	Woodin
Gross			

21

On motion of Mr. Middleton, and by unanimous consent, said bill was amended as follows :

Section 1, line 2, strike out the words "an act to amend," and insert the words "title 3 of."

Same section, lines 5 and 6, strike out the words "passed March 25, 1874."

Amend the title so as to read as follows :

"An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870."

The President put the question whether the Senate would agree to the final passage of said bill, as amended and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Selkreg
Cole	Jacobs	Middleton	Thompson
Dickinson	King	Parmenter	Wagner
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The committee of conference appointed to consider the matters in difference between the two Houses, in respect to the Senate bill entitled "An act to incorporate the Twelfth Ward Savings Bank in the city of New York," respectfully report that they have met and considered the several matters in difference so referred to them, and have agreed to recommend as follows :

That the Senate agree to the amendments proposed by the Assembly to the following sections of the engrossed bill, namely:

Sections 1, 7, 11, 12, 14, 18, 20, 23.

Change the number of section 21 to 22, and the subsequent sections to the end of the bill.

And that the Assembly recede from the other amendments proposed by it.

JACOB A. GROSS,
JAMES W. BOOTH,
A. J. WELLMAN,
Senate Committee.

JOHN W. SMITH,
CHARLES REILLY,
MICHAEL COFFEY,
THOMAS C. CAMPBELL,
F. W. VOSBURGH,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg.	
Cole	King	Middleton	Thompson	
Dow	Laning	Parmenter	Wagner	
Fox	Lord	Ray	Wood	
Gross	Lowery	Robertson	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The Assembly returned the bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out of public roads and of the alteration thereof,'" with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee on their part, Messrs. Hinckley Hogan, Cole, Wurtz and Hussey.

Mr. Dow moved that a committee be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Dow, Robertson and Laning.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

The Assembly bill entitled "An act further to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schoenectady,' and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Cole	King	Middleton	Thompson
Dickinson	Laning	Parmenter	Wagner
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin
Gross	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 497 of the Laws of 1869, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county,' and supplementary thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Cole	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wagner
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin
Gross	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

The Assembly bill entitled "An act in relation to the improvement of the Croton aqueduct in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Robertson
Cole	Jacobs	Madden	Selkreg
Dayton	King	McGowan	Thompson
Dow	Laning	Middleton	Wagner
Fox	Lord	Parmenter	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to increase the efficiency of the court of general sessions of the peace in the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Ray
Cole	Jacobs	Lowery	Robertson
Dayton	King	Middleton	Selkreg
Dow	Laning	Parmenter	Wagner
Fox			

17

FOR THE NEGATIVE.

Madden	McGowan	Thompson	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to amend an act entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,' passed April 4, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	King	McGowan	Selkreg
Cole	Laning	Middleton	Thompson
Dayton	Lord	Parmenter	Wagner
Dow	Lowery	Ray	Wood
Jacobs	Madden	Robertson	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 18, 1871, and to repeal chapter 329 of the Laws of 1872," with a message that they had concurred in the passage thereof with the following amendment:

Section 5, engrossed bill, line 5, strike out the word "purpose," and insert in lieu thereof the word "purchase."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	King	McGowan	Selkreg
Cole	Laning	Middleton	Thompson
Dayton	Lord	Parmenter	Wagner
Dow	Lowery	Ray	Wood
Fox	Madden	Robertson	Woodin
Jacobs			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Bath, in the county of Steuben,'

passed June 20, 1851," with a message that they had passed the same, with the following amendments:

Section 1, line 2, strike out the words "the act," and insert the words "chapter 264 of the Laws of 1851."

Line 4, strike out all after the word "Steuben," down to and including the word "one," in line 5.

Amend the title so as to read "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled An act to incorporate the village of Bath,' in the county of Steuben."

The President then put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Selkreg
Cole	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wagner
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The bill entitled "An act to legalize and confirm the proceedings of the incorporation of the village of Canisteo, in the county of Steuben, and the election of the officers therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Ray
Coe	Jacobs	Madden	Robertson
Cole	King	McGowan	Thompson
Dow	Laning	Middleton	Wagner
Fox	Lord	Parmenter	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to the Buffalo East Side Street Railway Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Ray
Coe	Jacobs	Madden	Robertson
Cole	King	McGowan	Thompson
Dow	Laning	Middleton	Wagner
Fox	Lord	Parmenter	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize William Beard and others to erect, construt, build and maintain sea-walls or breakwater piers, docks, wharves bulk-heads, piers and warehouses, and a basin for commercial use in front of their lands in the Twelfth ward of the city of Brooklyn,' passed April 24, 1862, and also to amend an act bearing the same title, passed April 30, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Robertson
Coe	King	McGowan	Selkreg
Cole	Laning	Middleton	Thompson
Dow	Lord	Parmenter	Wagner
Gross	Lowery	Ray	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 320 of the Laws of 1872, entitled 'An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulk-heads and slips in the cities of New York and Brooklyn,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Laning	McGowan	Robertson
Coe	Lord	Middleton	Selkreg
Cole	Lowery	Parmenter	Thompson
Dow	Madden	Ray	Wagner
King			
			17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 496 of the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions,'" having been announced for a third reading,

Mr. Woodin moved that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to amend chapter 508 of the Laws of 1874, entitled 'An act to authorize the construction of a railway from Vesey street through certain streets in the city of New York to the South Ferry,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	McGowan	Robertson
Coe	Laning	Middleton	Selkreg
Cole	Lord	Parmenter	Thompson
Dow	Lowery	Ray	Wagner
Jacobs	Madden		

18

FOR THE NEGATIVE.

Dickinson

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to fares for carrying passengers on street railroads in the city of Buffalo," having been announced for a third reading,

On motion of Mr. Laning, and by unanimous consent said bill was amended as follows:

Section 3, line 4, after the word company," insert the words "or from the cars of the same street railway company."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Robertson
Coe	Gross	McGowan	Selkreg
Cole	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wagner
Dow	Lord	Ray	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Gross, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church,' passed April 4, 1869, also the petition of Elizabeth Hupperts and others requesting the passage thereof," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Gross, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend, consolidate and reduce to one act the various acts relative to the common schools of the city of New York,' passed July 3, 1851," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to extend the time for collection of taxes in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. King, and by unanimous consent, said bill was ordered to be considered in the first committee of the whole.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to amend chapter 821 of the Laws of 1873, entitled 'An act to amend an act entitled An act to amend an act entitled An act for the benefit of married women in insuring the lives of their husbands, passed April 14, 1858, passed April 18, 1870,'" which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to authorize the Regents of the University to establish examinations as to attainments in learning," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Buffalo to the grounds of the Buffalo Driving Park Association in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Madden, and by unanimous consent, the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866; passed February 17, 1872, was ordered considered in the first committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to extend the time for collection of taxes in the county of Richmond."

"An act to fix the rate of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Rochester to the grounds of the Western New York Agricultural and Mechanical Driving Park Association in said city."

"An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866; passed February 17, 1872."

After some time spent therein the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. King, and by unanimous consent, the first named bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Robertson
Coe	Jacobs	McGowan	Selkreg
Cole	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wagner
Dow	Lord	Ray	Woodin
Fox	Lowery		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed o, and said bill ordered engrossed for a third reading.

The Assembly returned, pursuant to request, the Assembly bill entitled "An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county."

Mr. Jacobs moved to reconsider the vote by which the adverse report of the committee on commerce and navigation upon said bill was agreed to.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs moved that said bill be recommitted to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin moved that the Assembly bill entitled "An act to provide for an assessment for regulating, grading and sewerage parts of the Tenth avenue and Ninety-third street, in the city of New York," be recommitted to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend chapter 252 of the Laws of 1874, entitled 'An act to provide for supplying the village of Owego, in the county of Tioga, with water.'"

"An act to repeal section 3 of chapter 130 of Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax in aid of Friendship Academy."

Assembly, "An act to amend section 10 of chapter 830 of the Laws of 1873, entitled 'An act to legalize the adoption of minor children by adult persons.'"

After some time spent therein the President resumed the chair, and Mr. Ray, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Ray, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend chapter 758 of the Laws of 1865, entitled 'An act to authorize the towns of Otsego, Hartwick and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley Railroad Company.'"

Assembly, "An act for the better suppression of vice and of obscene literature."

"An act relating to free instruction in drawing."

After some time spent therein the President resumed the chair, and Mr. Thompson, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Thompson, from the same committee, reported in favor of the pas-

sage of the last named bill, which report was agreed to; and said bill ordered engrossed for a third reading.

The Assembly returned the bill entitled "An act relative to the care and education of deaf mutes," with a message that they had passed the same, with the following amendments:

Add, at the end of section 1, the words "or in any institution of the State for the education of deaf mutes."

Section 2, strike out lines 11, 12, and 13 down to and including the word "circumstances."

Add, at the end of section 2, the words "or in any institution in this State for the education of deaf mutes."

Section 3, page 3, line 1, strike out the word "two," and insert the word "three."

Line 2, same section, strike out the words "and thirty."

Section 4, same page, line 5, strike out the word "two," and insert the word "three."

Same line, strike out the words "and thirty."

Lines 7 and 8, strike out the words "for the support of the poor."

Section 5, line 8, strike out the word "indigent."

Page 4, line 2, strike out the word "one," and insert the word "five."

Line 7, same page, strike out all after the word "received," down to and including the word "dumb," in line 9.

Same page, line 18, insert, after the word "Rome," the words "or in any institution in this State for the education of deaf mutes," and strike out the balance of said section.

Same section, page 5, in line 5, strike out the word "two," and insert the word "three."

Line 6, same section, strike out the words "and thereby."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Selkreg
Coe	King	Middleton	Thompson
Dayton	Laning	Parmenter	Wagner
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

On motion of Mr. Gross, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to provide for the election of a police constable in the village of McGrawville, Cortland county."

"An act to amend an act entitled 'An act to amend, consolidate and reduce to one act the various acts relative to the common schools of the city of New York,' passed July 3, 1851."

"An act to repeal chapter 346 of the Laws of 1870, entitled 'An act authorizing the election of a police justice in the village of Tonawanda.'"

After some time spent therein the President resumed the chair, and Mr. Lord, from said committee, reported in favor of the passage of the first and second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Lord, from the same committee, reported in favor of the passage of the last named bill.

Mr. Laning moved to disagree with the report of the committee, and that said bill be recommitted to the committee on the affairs of villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to provide for the aid and support of the poor in the counties of Erie, Kings and New York."

Assembly, "An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies.'"

"An act to amend the act relating to the assessment of real property in the several towns or wards of the State."

After some time spent therein the President resumed the chair, and Mr. Cole, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Cole, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Cole, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Robertson moved that the last named bill be recommitted to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Tobey asked and obtained leave to introduce a bill entitled "An act to authorize the village of Port Henry to borrow money on its corporation notes or bonds, to purchase a steam fire-engine and necessary fire apparatus for the use of said village, and to levy and collect a tax for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

Mr. Gross, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend 'An act for the incorporation of the Trustees of the Parochial Fund of the Protestant Episcopal Church in the Diocese of Western New York,' passed March 26, 1863," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 760 of the Laws of 1870 in reference to acquiring title to real estate for burial purposes.'"

"An act to establish a board of assessors in and for the city of Utica."

Assembly, "An act to amend chapter 489 of the Laws of 1873, entitled 'An act to amend an act entitled An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854, and as amended by chapter 558 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga.'"

After some time spent therein, the President resumed the chair, and Mr. Fox, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Fox, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *April 27, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1875."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Page, and by unanimous consent, the same was amended as follows :

Strike out of engrossed bill, lines 12 and 13, section 1, the words "four hundred and nine," and insert in lieu thereof the words "two hundred and fifty nine."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lord	Robertson
Coe	Fox	Lowery	Selkreg
Cole	Gross	Middleton	Thompson
Dayton	King	Parmenter	Wood
Dickinson	Laning	Ray	

19

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate vote in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Jacobs	Middleton	Thompson
Dayton	King	Parmenter	Wagner
Dickinson	Laning	Ray	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, as follows:

IN ASSEMBLY, *April 27, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Braman, and by unanimous consent, the same was amended as follows:

Strike out all of section 1, engrossed bill, after line 5, and insert the following:

"§ 2. The city shall be divided into five wards, bounded and described as follows, respectively:

"FIRST WARD. All that part of the city included within the following lines, to wit: Commencing at a point in the Mohawk river where the center line of Vliet street, extended, intersects the boundary line of the city; thence westerly along said line and the center line of Vliet street to its intersection with the Erie canal; thence southerly along the center of said canal to the center line of Cataract alley, extended westerly to the Central railroad; thence westerly along said line to said railroad; thence northerly and westerly along the center of said railroad to its intersection with the center of the Bought road; thence westerly along said Bought road to the western boundary line of said city; thence northerly and easterly and southerly along the boundary line of the city to the place of beginning, shall comprise the first ward.

"SECOND WARD. All that portion of the city comprised within the following lines, to wit: Commencing at a point in the Mohawk river where the line of Vliet street, extended, intersects the boundary line of the city; thence easterly and southerly along said boundary line and the center of the south branch of said river as it flows easterly of Simmons' island to a point directly east of the south end of said island; thence westerly to the south end of said island; thence in a direct line to the point of intersection of the center of Pine street with the center of the Champlain canal; thence along the southern boundary line of the second ward of the village (now city) of Cohoes, to its intersection with the Erie canal; thence northerly along the center of said canal to the center of Vliet street; along that street and the line of Vliet street extended to the place of beginning, shall comprise the second ward.

"THIRD WARD. All that part of the city comprised within the following lines to wit: Commencing at a point in the center of the south branch of the Mohawk river, directly east of the south end of Simmon's island, thence southerly along the center of said south branch to a point

where the center line of Cedar street extended easterly intersects the same; thence westerly along said line and the center line of Cedar street to the center of Saratoga street, thence in a direct line to the center line of Columbia street, where it intersects the center line of Mohawk street; thence westerly along the center line of said street to the center line of the Erie canal; thence northerly along the center line of said Erie canal to its intersection with the center line of Cataract alley extended in a direct line to the center line of the New York Central Railroad; thence easterly along said line of Cataract alley, and the southerly boundary line of the second ward of said city as hereinbefore defined, to the place of beginning shall comprise the third ward.

"FOURTH WARD. All that portion of the city lying south of the southerly line of the third ward and south of the center line of Columbia street extended to the western bounds of the city, shall comprise the fourth ward.

"FIFTH WARD. All that part of the city included within the following lines, to wit: Commencing at a point where the center line of the Erie canal intersects the center line of Columbia street, running thence northerly along the center line of the Erie canal to a point where it intersects the center line of Cataract alley, extended in a direct line to the center of said canal; thence running westerly in the direct line of Cataract alley, extended to the center of the track of the New York Central Railroad; thence northerly along the center line of said railroad track to the center of the Bought road; thence running westerly along the center line of the said road to the westerly bounds of the city; thence running southerly and along the west bounds of the city to the center line of Columbia street; thence easterly along the center line of Columbia street to the place of beginning, shall comprise the fifth ward."

Amend section 2 by inserting in the first line, after the word "elected," the words "in and for the fifth ward of said city." And after the word "amended," in line 5, place a period instead of comma, and commence the following section with a capital O.

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Jacobs	Middleton	Thompson
Dayton	King	Parmenter	Tobey
Dickinson	Laning	Ray	Wagner
Dow	Lord	Robertson	Wood
Fox			

21

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dow	Laning	Robertson
Coe	Fox	Lord	Selkreg
Cole	Gross	Lowery	Tobey
Dayton	Jacobs	Parmenter	Wagner
Dickinson	King	Ray	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

Mr. Gross moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to authorize the town auditors of the towns of Southfield and Middletown, Richmond county, to audit certain claims," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act for the preservation of fish in Salmon river and Deer creek in Oswego county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the Assembly bill entitled "An act creating the office of Inspector of Public Works," with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee on their part, Messrs. Daly, Schuyler, Bradley, Alvord and Husted.

Mr. Lowery moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Lowery Robertson and Jacobs.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

By unanimous consent, Mr. Lord asked and obtained leave to introduce a bill entitled "An act in relation to contracts for work upon the canals of this State," which was read the first time, and by unanimous consent was also read a second time and referred to the committee on canals.

The bill entitled "An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866; passed February 17, 1872," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Selkreg
Coe	Gross	Madden	Thompson
Cole	Jacobs	Middleton	Tobey
Dayton	King	Ray	Wagner
Dickinson	Laning	Robertson	Wood
Dow	Lord		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in regard to sewerage and other improvements in Long Island City," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Selkreg
Coe	Gross	Madden	Thompson
Cole	Jacobs	Middleton	Tobey
Dayton	King	Ray	Wagner
Dickinson	Laning	Robertson	Wood
Dow	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867, and the several acts amendatory thereof," having been announced for a third reading,

On motion of Mr. Bradley, and by unanimous consent, said bill was amended as follows :

Section 3, line 6, strike out the word "times," and insert the word "trustees."

Strike out all of section 4, after the word "amended," in line 3, and insert as follows :

"To appoint the several officers whose offices are held by appointment under them, and to fill vacancies therein; and to fill any vacancy which may occur in any other office by the appointment of a suitable person, to hold until the person elected to such office at the next annual election shall have duly qualified. Persons appointed to office by the trustees, unless sooner removed, shall hold until their successors shall be appointed by the succeeding board of trustees and shall have duly qualified."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Selkreg
Coe	Gross	Madden	Thompson
Cole	Jacobs.	Middleton	Tobey
Dayton	King	Ray	Wagner
Dickinson	Laning	Robertson	Wood
Dow	Lord		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the improvement of Delaware street in the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Jacobs	Madden	Thompson
Dayton	King	Middleton	Wagner
Dickinson	Laning	Ray	Wood
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 758 of the Laws of 1865, entitled 'An act to authorize the towns of Otsego, Hartwick and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley Railroad Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Robertson
Coe	Gross	Lowery	Thompson
Cole	Jacobs	Madden	Tobey
Dayton	King	Middleton	Wagner
Dickinson	Laning	Ray	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to extend the time for the exercise and discharge of the official duties and for the completion of the work of the commissioners of streets, roads, avenues and parks in Long Island City," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Robertson
Coe	King	Middleton	Selkreg
Dickinson	Laning	Moore	Thompson
Dow	Lord	Parmenter	Wood
Gross	Lowery	Ray	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Lowery moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Assembly bill entitled "An act to amend section 10 of chapter 830 of the Laws of 1878, entitled 'An act to legalize the adoption of minor children by adult persons,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Robertson
Coe	Jacobs	Madden	Thompson
Dickinson	King	Middleton	Wagner
Dow	Laning	Ray	Wood
Fox	Lord		

FOR THE NEGATIVE

Selkreg	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Fox moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Dickinson	King	Ray	Wagner
Dow	Lowery	Thompson	Wood
Fox			

FOR THE NEGATIVE.

Jacobs	Madden	Middleton	3
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Whereupon the Senate adjourned.

WEDNESDAY, APRIL 28, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Dickinson presented remonstrances of citizens of the counties of St. Lawrence and Franklin against reduction of tolls on the canals; which was read and referred to the committee on canals.

Mr. Johnson presented three remonstrances of citizens of Ontario county upon the same subject; which was read and referred to the committee on canals.

Mr. Kellogg, Mr. Dow and Mr. Selkreg presented remonstrances of Cattaraugus, Madison and Tioga counties upon the same subject; which was read and referred to the committee on canals.

Mr. Tobey presented remonstrances of citizens of Warren, Clinton and Essex counties upon the same subject; which was read and referred to the committee on canals.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to extend the time for the collection of taxes in the county of Richmond."

"An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Rochester to the grounds of the Western New York Agricultural and Mechanical Driving Park Association in said city.

"An act to repeal section 3 of chapter 130 of Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax, in aid of Friendship academy."

"An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866; passed February 17, 1872."

"An act relating to free instruction in drawing."

"An act to regulate the supply of stationery for the officers and reporters of the Legislature."

Mr. Woodin, from the committee on engrossed bills, reported as correctly re-engrossed the bills entitled as follows:

"An act to incorporate the Twelfth Ward Savings Bank in the city of New York."

"An act relative to the care and education of deaf-mutes."

"An act to amend an act entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,' passed April 4, 1866."

"An act relating to fares for carrying passengers on street railroads in the city of Buffalo."

"An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872."

"An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act to incorporate the village of Bath, in the county of Steuben.'"

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act providing for the appointment of trustees of the estates of persons absenting themselves from their domiciles in this State and remaining unheard of, or suddenly disappearing," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the official acts of John E. Ashe, as notary public," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of certain lands situate in the city of Newburgh to the grantees and heirs at law of Francis Wilson (alien), late of said city, deceased," reported in

favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized to Angeline Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs at law of said Robert A. Lamont, deceased," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the payment of jurors in protracted trials," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the bill entitled "An act to regulate the supply of stationery for the officers and reporters of the Legislature," reported in favor of the passage of the same, with amendments, and said bill was ordered to a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving, and embellishing the public park in said city, and the approaches thereto, and providing for the payment of such bonds and the expenditure of such money," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to provide for a public park in the city of Lockport," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the city of Elmira to pay claims for damages to certain lands caused by the erection of an elevated bridge upon Washington avenue in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Buffalo to order to be assessed and to cause to be raised by local assessment, the amount of the expenses incurred in rebuilding the westerly end of the sewer in Breckenridge street in said city, upon and from the lands benefited thereby," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act extending the jurisdiction of the park commissioners of the city of Buffalo over that portion of Delaware street in said city, between Chapin place and the North bounds of Virginia street and authorizing them to maintain, improve and embellish the same," reported adversely thereto, which report was agreed to, and said bill rejected.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same, as amended:

"An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bills:

"An act to incorporate the Twelfth Ward Savings Bank in the city of New York."

"An act to amend chapter 264 of the Laws of 1851, entitled 'An act to incorporate the village of Bath, in the county of Steuben.'"

"An act relative to the care and education of deaf mutes."

"An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend chapter 320 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes, passed April 20, 1866, as to travel fees of constables.'"

"An act to authorize the city of Troy to refund a portion of its bonded debt."

"An act to enable married women to release and to confirm releases of dower and inchoate rights of dower in certain cases."

"An act to prevent the mutilation of shade or ornamental trees."

"An act to amend section 1, chapter 33 of the Laws of 1874, entitled 'An act to amend section 1 of chapter 381 of the Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario.'"

"An act to extend the time for the exercise and discharge of the official duties and for the completion of the work of the commissioners of streets, roads, avenues and parks in Long Island City."

"An act farther to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' and the several acts amendatory thereof."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act further to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent, Mr. Moore asked and obtained leave to introduce a bill entitled "An act to incorporate the Irish American Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act for the relief of John W. Guntzer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act in relation to cleaning the streets of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to legalize the proceedings of a town meeting held at town house in the town of Watervliet on the 18th day of April, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Ray moved that the Assembly bill entitled "An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," be recommitted to the committee on roads and bridges.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Rochester to the grounds of the Western New York Agricultural and Mechanical Driving Park Association in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Gross	Madden	Selkreg
Cole	Kellogg	Middleton	Thompson
Connelly	King	Parmenter	Wagner
Dickinson	Laning	Ray	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the Military Code,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, and two-thirds of all the Senators present concurring therein, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Ledwith	Robertson
Connelly	Johnson	Middleton	Thompson
Dayton	Kellogg	Moore	Wagner
Dow	King	Parmenter	Woodin
Gross	Laning	Ray	19

FOR THE NEGATIVE.

Coe	Dickinson	Selkreg	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same with amendments.

The bill entitled "An act to repeal section 3 of chapter 130 of the Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax in aid of Friendship academy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE. ●

Bradley	Dow	King	Robertson
Coe	Gross	Laning	Selkreg
Connelly	Jacobs	Ledwith	Thompson
Dayton	Johnson	Middleton	Wagner
Dickinson	Kellogg	Moore	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to free instruction in drawing," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Cole	Fox	King	Robertson
Connelly	Gross	Laning	Selkreg
Dayton	Jacobs	Ledwith	Thompson
Dickinson	Johnson	Middleton	Wagner
Dow	Kellogg	Moore	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 252 of the Laws of 1874, entitled "An act to provide for supplying the village of Owego, in the county of Tioga, with water," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Selkreg	
Coe	Dow	Middleton	Thompson	
Cole	Kellogg	Moore	Wagner	
Connelly	King	Ray	Wood	
Dayton	Laning	Robertson	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the election of a police constable in the village of McGrawville, Cortland county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Robertson	
Bradley	Gross	Ledwith	Selkreg	
Cole	Jacobs	Lord	Thompson	
Connelly	Johnson	Middleton	Wagner	
Dayton	Kellogg	Moore	Wood	
Dickinson	King	Ray	Woodin	
Dow				25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Laning	Selkreg	
Coe	Fox	Ledwith	Thompson	
Cole	Gross	Lord	Wagner	
Connelly	Johnson	Lowery	Wood	
Dayton	Kellogg	Middleton	Woodin	
Dickinson	King	Robertson		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the aid and support of the poor in the counties of Erie, Kings and New York," having been announced for a third reading,

On motion of Mr. Lowery, and by unanimous consent, said bill was amended as follows:

Add, the end of section 6, the following: "Except in the case of the American Female Guardian Society and Home for the Friendless, the Children's Aid Society and the Shepherd's Fold of the Protestant Episcopal Church, who shall severally receive only the same amounts as provided by existing laws."

On motion of Mr. Laning, and by unanimous consent, said bill was amended as follows:

Section 5, lines 1 and 2, strike out the words "the preceding sections," and insert the words "this act."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Ray
Coe	Jacobs	Lowery	Robertson
Dayton	King	Madden	Thompson
Dickinson	Laning	Middleton	Tobey
Fox	Ledwith	Moore	Wood

FOR THE NEGATIVE.

Cole	Selkreg	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the better suppression of vice and of obscene literature," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	King	Middleton
Bradley	Fox	Laning	Ray
Coe	Gross	Ledwith	Robertson
Cole	Jacobs	Lord	Wagner
Dayton	Johnson	Lowery	Wood
Dickinson	Kellogg		

22

FOR THE NEGATIVE.

Selkreg	1
---------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 760 of the Laws of 1870 in reference to acquiring title to real estate for burial purposes,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Fox	Ledwith	Selkreg
Coe	Jacobs	Middleton	Thompson
Cole	Johnson	Moore	Wagner
Dayton	King	Ray	Woodin
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 489 of the Laws of 1878, entitled 'An act to amend an act entitled An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854, and as amended by chapter 558 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	King	Selkreg
Bradley	Fox	Lowery	Thompson
Cole	Gross	McGowan	Tobey
Connelly	Jacobs	Ray	Wagner
Dickinson	Kellogg	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. King called from the table the bill entitled "An act to alter the map or plan of the city of New York by striking therefrom the proposed avenue B, between Sixty-eighth and Seventy-ninth streets.

Said bill having been announced for a third reading,

Mr. Ray moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

After debate, by unanimous consent, said bill was laid upon the table.

Mr. Jacobs moved that the committee on roads and bridges be discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," and that the same be restored to its place in the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Jacobs, said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Parmenter
Bradley	Gross	Ledwith	Ray
Coe	Jacobs	Lowery	Selkreg
Dayton	Kellogg	McGowan	Thompson
Dow	King	Middleton	Wagner

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to regulate the supply of stationery for the officers and reporters of the Legislature," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	King	Ray
Coe	Dow	Laning	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Jacobs	McGowan	Thompson
Dayton	Kellogg	Middleton	Wellman

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Gross, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to enable incorporated parishes of the Protestant Episcopal Denomination in the Diocese of Central New York to make certain transfers of their real and personal estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the Laws in relation to the village of Ithaca, in the county of Tompkins,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act authorizing the board of supervisors of Kings county to raise money to construct a work-house," reported in favor of the passage of the same, with amendments.

On motion of Mr. Jacobs, and by unanimous consent, said bill was ordered to a third reading.

Mr. Woodin moved that the bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn, passed June 1, 1874," be recommitted to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to authorize a tax of one-fifth of a mill per dollar of valuation for the payment of the awards of the Canal Appraisers of the Canal Board and of the Board of Canal Commissioners, and to pay certificates of indebtedness on interest now outstanding."

Assembly, "An act to provide for the appointment of a commission to investigate, consider and report upon the disposition to be made of the lateral canals."

"An act directing inquiries to be made and reported to the next Legislature upon the subject of timber supply, and the most effectual means for the maintenance thereof."

After some time spent therein the President resumed the chair, and Mr. Kellogg, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Kellogg, from the same committee, reported in favor of the passage of the second named bill, with amendments, and the title amended by striking out the words "provide for the appointment of a commission," and inserting in lieu thereof the words "require the Canal Board."

Mr. Johnson moved to amend the report of the committee by striking out the amendments made in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Middleton	Ray
Dayton	Lowery	Parmenter	Thompson
Jacobs	McGowan		

10

FOR THE NEGATIVE.

Booth	Dow	Laning	Robertson
Coe	Fox	Ledwith	Selkreg
Cole	Gross	Lord	Wood
Connelly	Kellogg	Madden	Woodin

18

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill ordered to a third reading.

Mr. Kellogg, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act supplementary to chapter 780 of the Laws of 1867, entitled 'An act to supply the city of Binghamton with pure and wholesome water,' and the act amendatory thereof," reported in favor of the passage of the same.

On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Selkreg
Bradley	Gross	Madden	Thompson
Cole	Jacobs	McGowan	Wagner
Connelly	Kellogg	Middleton	Wood
Dayton	King	Ray	Woodin
Dickinson	Laning	Robertson	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Ledwith offered the following :

Resolved, That the privileges of the floor of the Senate be extended to Hon. George O. Vanderbilt, Speaker, and Hon. A. F. Robe, George W. Patterson, Wm. H. Gill, Andrew J. Smith, R. S. Woodruff, S. M. Youmans and Thos. S. Henry, members of the Legislature of the State of New Jersey, during their stay in the city.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses on the Assembly bill, entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874 for the construction of new work upon, and extraordinary repairs of, the canals of this State,' passed May 9, 1874," having met and duly considered the same, have agreed to recommend that the Assembly assent to the amendment made by the Senate, striking out of engrossed bill, in section 2, lines 5, 6, 7 and 8, the following words: "enlargement work at Whitehall and elsewhere on the Champlain canal under contract at the time of the passage of this act," and insert in lieu thereof the following words: "construction of wall between the canal and Wood creek, in the village of Whitehall; also a vertical wall on the berme side in said village."

Also, in lines 8 and 9, strike out the words "one hundred and fifty-four," and insert the word "seventy."

Also, in line 12, after the word "interest," insert the words "and to pay for enlargement work at Bemus Heights the sum of twenty-one thousand three hundred and eighty-five dollars, with interest thereon."

Also, add at the end of section 2 the following words: "No provision of this act shall be construed as approving, adopting or legalizing any action of the Canal Board, Canal Commissioners, or Contracting Board, which was unauthorized or not in conformity with law when the act was done."

And they agree to recommend that section 2 be amended by adding thereto, at the end thereof, as above amended by the Senate and agreed to by the Assembly, the following words: "Except that the amount hereby appropriated may be paid as herein directed, without in any manner thereby determining or affecting the validity of such action."

DAN H. COLE,
A. P. LANING,
A. C. MCGOWAN,
Senate Committee.

A. S. PAGE,
E. E. DAVIS,
L. C. G. KSHINKA,
T. G. ALVORD,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Ray
Bradley	Gross	Lord	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	Johnson	Madden	Thompson
Dayton	Kellogg	Middleton	Woodin
Dickinson	King		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

On motion of Mr. Gross, the Senate then went into executive session; and, after some time spent therein, the doors were opened, and

On motion of Mr. Gross, the Senate adjourned.

THURSDAY, APRIL 29, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Messrs. Dow and Dickinson presented remonstrances of citizens of Chautauqua, Cattaraugus, and St. Lawrence counties against the reduction of tolls upon the canals; which were read and referred to the committee on canals.

Messrs. Kellogg and Woodin presented remonstrances of citizens of Oswego, Wayne, and Cayuga counties upon the same subject; which were read and referred to the committee on canals.

Messrs. Johnson and Selkreg presented remonstrances of citizens of Geneva and Tioga county upon the same subject; which were read and referred to the committee on canals.

Mr. McGowan presented eight petitions of citizens of the State of New York for a reduction of tolls on the canals; which were read and referred to the committee on canals.

Mr. Tobey presented a memorial of the comptroller of the city and county of New York relative to Riverside park; which was laid upon the table and ordered printed.

(See Doc. No. 85.)

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act to authorize the village of Port Henry to borrow money on its corporation notes or bonds to purchase a steam fire-engine and necessary fire apparatus for the use of said village, and to levy and collect a tax for the payment of the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the Code of Procedure," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the action of the village of Whitehall in acquiring title to certain lands and erecting a building thereon, and authorizing the issuing of bonds of such village for the payment of the debt incurred in such erection," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confer on boards of supervisors further powers of local legislation and administration and to regulate the compensation of supervisors," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 821 of the Laws of 1873, entitled 'An act to amend an act entitled An act to amend an act entitled An act for the benefit of married women in insuring the lives of their husbands,' passed April 14, 1858; passed April 18, 1870," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize James McAndrew to take, hold and convey real estate," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the bill entitled "An act to amend the act relating to the assessment of real property in the several towns of this State," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend section 4 of title 2, chapter 13, part 1 of the Revised Statutes, relative to the assessment of real property in the several towns of this State," and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act to incorporate the Masonic Hall Association of Hornellsville, passed April 27, 1869," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act in relation to parsonages in certain cases," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to confirm the title of the Associate Congregation of Bovina to its real and personal estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate The Protectorate and Reformatory for Destitute Children from Oneida

and adjacent counties," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate The Protectorate and Reformatory for Destitute Children from Oneida and adjacent counties," reported adversely thereto (a similar bill from the Assembly having this day been reported favorably), which report was agreed to, and said bill rejected.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act to legalize the proceedings of a town meeting, held at the town house, in the town of Watervliet, on the 13th day of April, 1875," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 693 of the Laws of 1873, so as to include the waters of Findley's lake, in the county of Chautauqua," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' so as to exempt Chautauqua lake from certain provisions of said act," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Eclectic Medical Society, reported for consideration the following resolution:

Resolved (if the Senate concur), That 1,000 extra copies of the Report of the Eclectic Medical Society of the State of New York, in paper covers, be printed for the use of the Legislature, and 1,500 copies for the use of said Society.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Parmenter

Thompson

2

FOR THE NEGATIVE.

Cole

Johnson

Lord

Robertson

Connelly

Kellogg

Lowery

Selkreg

Dickinson

King

Middleton

Wood

Dow

Ledwith

Ray

Woodin

Gross

17

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print the Report of the Homœopathic Medical Society, reported for consideration the following resolution:

Mr. Kellogg, Mr. Dow and Mr. Selkreg presented remonstrances of Cattaraugus, Madison and Tioga counties upon the same subject; which was read and referred to the committee on canals.

Mr. Tobey presented remonstrances of citizens of Warren, Clinton and Essex counties upon the same subject; which was read and referred to the committee on canals.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to extend the time for the collection of taxes in the county of Richmond."

"An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Rochester to the grounds of the Western New York Agricultural and Mechanical Driving Park Association in said city.

"An act to repeal section 3 of chapter 130 of Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax, in aid of Friendship academy."

"An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866; passed February 17, 1872."

"An act relating to free instruction in drawing."

"An act to regulate the supply of stationery for the officers and reporters of the Legislature."

Mr. Woodin, from the committee on engrossed bills, reported as correctly re-engrossed the bills entitled as follows:

"An act to incorporate the Twelfth Ward Savings Bank in the city of New York."

"An act relative to the care and education of deaf-mutes."

"An act to amend an act entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,' passed April 4, 1866."

"An act relating to fares for carrying passengers on street railroads in the city of Buffalo."

"An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872."

"An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act to incorporate the village of Bath, in the county of Steuben.'"

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act providing for the appointment of trustees of the estates of persons absenting themselves from their domiciles in this State and remaining unheard of, or suddenly disappearing," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the official acts of John E. Ashe, as notary public," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of certain lands situate in the city of Newburgh to the grantees and heirs at law of Francis Wilson (alien), late of said city, deceased," reported in

favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized to Angelina Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs at law of said Robert A. Lamont, deceased," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the payment of jurors in protracted trials," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommended the bill entitled "An act to regulate the supply of stationery for the officers and reporters of the Legislature," reported in favor of the passage of the same, with amendments, and said bill was ordered to a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving, and embellishing the public park in said city, and the approaches thereto, and providing for the payment of such bonds and the expenditure of such money," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to provide for a public park in the city of Lockport," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the city of Elmira to pay claims for damages to certain lands caused by the erection of an elevated bridge upon Washington avenue in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Buffalo to order to be assessed and to cause to be raised by local assessment, the amount of the expenses incurred in rebuilding the westerly end of the sewer in Breckenridge street in said city, upon and from the lands benefited thereby," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act extending the jurisdiction of the park commissioners of the city of Buffalo over that portion of Delaware street in said city, between Chapin place and the North bounds of Virginia street and authorizing them to maintain, improve and embellish the same," reported adversely thereto, which report was agreed to, and said bill rejected.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same, as amended :

"An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bills :

"An act to incorporate the Twelfth Ward Savings Bank in the city of New York."

"An act to amend chapter 264 of the Laws of 1851, entitled 'An act to incorporate the village of Bath, in the county of Steuben.'"

"An act relative to the care and education of deaf mutes."

"An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto :

"An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes, passed April 20, 1866, as to travel fees of constables.'"

"An act to authorize the city of Troy to refund a portion of its bonded debt."

"An act to enable married women to release and to confirm releases of dower and inchoate rights of dower in certain cases."

"An act to prevent the mutilation of shade or ornamental trees."

"An act to amend section 1, chapter 33 of the Laws of 1874, entitled 'An act to amend section 1 of chapter 381 of the Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario.'"

"An act to extend the time for the exercise and discharge of the official duties and for the completion of the work of the commissioners of streets, roads, avenues and parks in Long Island City."

"An act farther to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' and the several acts amendatory thereof."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act further to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent, Mr. Moore asked and obtained leave to introduce a bill entitled "An act to incorporate the Irish American Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act for the relief of John W. Guntzer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act in relation to cleaning the streets of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to legalize the proceedings of a town meeting held at town house in the town of Watervliet on the 18th day of April, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Ray moved that the Assembly bill entitled "An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," be recommitted to the committee on roads and bridges.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Rochester to the grounds of the Western New York Agricultural and Mechanical Driving Park Association in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Gross	Madden	Selkreg
Cole	Kellogg	Middleton	Thompson
Connelly	King	Parmenter	Wagner
Dickinson	Laning	Ray	

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the Military Code,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, and two-thirds of all the Senators present concurring therein, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Ledwith	Robertson
Connelly	Johnson	Middleton	Thompson
Dayton	Kellogg	Moore	Wagner
Dow	King	Parmenter	Woodin
Gross	Laning	Ray	
			19

FOR THE NEGATIVE.

Coe	Dickinson	Selkreg	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same with amendments.

The bill entitled "An act to repeal section 3 of chapter 130 of the Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax in aid of Friendship academy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE. ●

Bradley	Dow	King	Robertson
Coe	Gross	Laning	Selkreg
Connelly	Jacobs	Ledwith	Thompson
Dayton	Johnson	Middleton	Wagner
Dickinson	Kellogg	Moore	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to free instruction in drawing," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Cole	Fox	King	Robertson
Connelly	Gross	Laning	Selkreg
Dayton	Jacobs	Ledwith	Thompson
Dickinson	Johnson	Middleton	Wagner
Dow	Kellogg	Moore	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 252 of the Laws of 1874, entitled "An act to provide for supplying the village of Owego, in the county of Tioga, with water," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Selkreg	
Coe	Dow	Middleton	Thompson	
Cole	Kellogg	Moore	Wagner	
Connelly	King	Ray	Wood	
Dayton	Laning	Robertson	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the election of a police constable in the village of McGrawville, Cortland county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Robertson	
Bradley	Gross	Ledwith	Selkreg	
Cole	Jacobs	Lord	Thompson	
Connelly	Johnson	Middleton	Wagner	
Dayton	Kellogg	Moore	Wood	
Dickinson	King	Ray	Woodin	
Dow				25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dow	Laning	Selkreg	
Coe	Fox	Ledwith	Thompson	
Cole	Gross	Lord	Wagner	
Connelly	Johnson	Lowery	Wood	
Dayton	Kellogg	Middleton	Woodin	
Dickinson	King	Robertson		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the aid and support of the poor in the counties of Erie, Kings and New York," having been announced for a third reading,

On motion of Mr. Lowery, and by unanimous consent, said bill was amended as follows:

Add, the end of section 6, the following: "Except in the case of the American Female Guardian Society and Home for the Friendless, the Children's Aid Society and the Shepherd's Fold of the Protestant Episcopal Church, who shall severally receive only the same amounts as provided by existing laws."

On motion of Mr. Laning, and by unanimous consent, said bill was amended as follows:

Section 5, lines 1 and 2, strike out the words "the preceding sections," and insert the words "this act."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Ray
Coe	Jacobs	Lowery	Robertson
Dayton	King	Madden	Thompson
Dickinson	Laning	Middleton	Tobey
Fox	Ledwith	Moore	Wood

FOR THE NEGATIVE.

Cole	Selkreg	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the better suppression of vice and of obscene literature," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	King	Middleton
Bradley	Fox	Laning	Ray
Coe	Gross	Ledwith	Robertson
Cole	Jacobs	Lord	Wagner
Dayton	Johnson	Lowery	Wood
Dickinson	Kellogg		

22

FOR THE NEGATIVE.

Selkreg	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 760 of the Laws of 1870 in reference to acquiring title to real estate for burial purposes,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Fox	Ledwith	Selkreg
Coe	Jacobs	Middleton	Thompson
Cole	Johnson	Moore	Wagner
Dayton	King	Ray	Woodin
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 489 of the Laws of 1878, entitled 'An act to amend an act entitled An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854, and as amended by chapter 558 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	King	Selkreg
Bradley	Fox	Lowery	Thompson
Cole	Gross	McGowan	Tobey
Connelly	Jacobs	Ray	Wagner
Dickinson	Kellogg	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. King called from the table the bill entitled "An act to alter the map or plan of the city of New York by striking therefrom the proposed avenue B, between Sixty-eighth and Seventy-ninth streets.

Said bill having been announced for a third reading,

Mr. Ray moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

After debate, by unanimous consent, said bill was laid upon the table.

Mr. Jacobs moved that the committee on roads and bridges be discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," and that the same be restored to its place in the order of third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Jacobs, said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Parmenter
Bradley	Gross	Ledwith	Ray
Coe	Jacobs	Lowery	Selkreg
Dayton	Kellogg	McGowan	Thompson
Dow	King	Middleton	Wagner
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to regulate the supply of stationery for the officers and reporters of the Legislature," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	King	Ray
Coe	Dow	Laning	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Jacobs	McGowan	Thompson
Dayton	Kellogg	Middleton	Wellman
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Gross, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to enable incorporated parishes of the Protestant Episcopal Denomination in the Diocese of Central New York to make certain transfers of their real and personal estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the Laws in relation to the village of Ithaca, in the county of Tompkins,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act authorizing the board of supervisors of Kings county to raise money to construct a work-house," reported in favor of the passage of the same, with amendments.

On motion of Mr. Jacobs, and by unanimous consent, said bill was ordered to a third reading.

Mr. Woodin moved that the bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn, passed June 1, 1874," be recommitted to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to authorize a tax of one-fifth of a mill per dollar of valuation for the payment of the awards of the Canal Appraisers of the Canal Board and of the Board of Canal Commissioners, and to pay certificates of indebtedness on interest now outstanding."

Assembly, "An act to provide for the appointment of a commission to investigate, consider and report upon the disposition to be made of the lateral canals."

"An act directing inquiries to be made and reported to the next Legislature upon the subject of timber supply, and the most effectual means for the maintenance thereof."

After some time spent therein the President resumed the chair, and Mr. Kellogg, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Kellogg, from the same committee, reported in favor of the passage of the second named bill, with amendments, and the title amended by striking out the words "provide for the appointment of a commission," and inserting in lieu thereof the words "require the Canal Board."

Mr. Johnson moved to amend the report of the committee by striking out the amendments made in the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Middleton	Ray
Dayton	Lowery	Parmenter	Thompson
Jacobs	McGowan		

10

FOR THE NEGATIVE.

Booth	Dow	Laning	Robertson
Coe	Fox	Ledwith	Selkreg
Cole	Gross	Lord	Wood
Connelly	Kellogg	Madden	Woodin

16

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill ordered to a third reading.

Mr. Kellogg, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act supplementary to chapter 780 of the Laws of 1867, entitled 'An act to supply the city of Binghamton with pure and wholesome water,' and the act amendatory thereof," reported in favor of the passage of the same.

On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

3. To make and use a common seal, which may be affixed by making an impression directly on the paper, and alter the same at pleasure.

4. To appoint such officers, managers and agents as the business of the corporation may require.

5. To make by-laws not inconsistent with the laws of this State or of the United States, for the management of its property and the regulation of its affairs.

6. To contract and be contracted with.

7. To receive money on deposit, to invest the same, and further transact the business of a savings bank as hereinafter provided.

8. To exercise any corporate powers necessary to the exercise of the powers above enumerated and given.

§ 2. Any number of persons not less than thirteen may associate themselves together for the purpose of organizing a savings bank in accordance with the provisions of this act; but two-thirds of such number of persons shall reside in the county where the proposed bank shall be located.

§ 3. Such persons, under their hands and seals, shall execute a certificate in which shall be set forth:

1. The name assumed to distinguish such association and to be used in its dealings, which shall be in no material respect similar to the name of any other savings bank organized and doing business in this State.

2. The place where its business is to be transacted, designating the particular city, village or town, and, if any city, the ward in such city.

3. The name, residence (if in any city, the street and number), occupation and post-office address of each member of such association.

4. A declaration that each member of such association will accept the responsibilities and faithfully discharge the duties of a trustee in such institution, when authorized according to the provisions of this act.

§ 4. Such certificate shall be executed in duplicate, and be duly acknowledged before an officer of this State authorized to take the acknowledgment of conveyances of real estate for record, and shall, within sixty days after such acknowledgment, be filed, one copy in the office of the county clerk of the county wherein such savings bank is proposed to be located, and one copy in the office of the superintendent of the banking department of this State.

§ 5. A notice of intention to organize such savings bank shall be published at least once a week for four weeks previous to filing the certificate of association, as provided in the last preceding section, in at least one newspaper of the largest circulation published in the city, village or town where such savings bank is proposed to be located; or, if there be no newspaper published in such village or town, then in some newspaper published in such county; if none in said county, then in an adjoining county, which notice shall specify the names of the proposed corporations, the name of the proposed savings bank, and the location of the same, as set forth in the certificate of association; and if there is any savings bank or banks organized and doing business in such county, a copy of such notice shall also be sent to each such savings bank so organized and doing business, at least fifteen days before the filing of such certificate of association, as provided for in the last preceding section.

§ 6. Upon the receipt of any such certificate of association at the office of the superintendent of the banking department, if the same is in due form and duly executed according to the provisions of sections

three and four of this act, and is accompanied by evidence satisfactory to the Superintendent of the proper publication and service, in good faith, of the notice required in the last preceding section, he shall forthwith indorse the same over his official signature "filed for examination," with the date of such indorsement.

§ 7. If such certificate shall not be in form and substance as required by section three of this act, or shall not be duly and properly acknowledged, as required by section four of this act, or shall not be accompanied by evidence satisfactory to the Superintendent of the publication and service in good faith, according to the intent and purpose of this act, of the notice required by section five of this act, the Superintendent shall refuse to file such certificate until the same shall be amended in conformity to the provisions of this act.

§ 8. It shall be the duty of the Superintendent of the Banking Department, and he shall have power, in regard to any certificate of association so filed by him as hereinbefore provided, to ascertain from the best sources of information at his command:

1. Whether greater convenience of access to a savings bank will be afforded to any considerable number of depositors by opening a savings bank at the place designated in such certificate.

2. Whether the density of the population in the neighborhood designated for such savings bank, and in the surrounding country, affords a reasonable promise of adequate support to the enterprise.

3. Whether the responsibility, character and general fitness for the discharge of the duties appertaining to such a trust, of the persons named in such certificate, are such as to command the confidence of the community in which such savings bank is proposed to be located.

§ 9. If the superintendent shall be satisfied from his knowledge, or from information gained, concerning the several points named in the last preceding section, that the organization of a savings bank, as proposed in such certificate, will be a public benefit, he shall, within sixty days after the same has been filed by him for examination, issue, under his hand and official seal, a certificate of authorization to the persons named in such certificate, or to them or to a portion of them, together with such other persons as a majority of those named in such certificate of association shall, in writing, approve; which certificate, so issued by him, shall authorize the persons named therein to open an office for the deposit of savings, as designated in the certificate of association, subject to the provisions of this act; provided, however, that no person shall be named in such certificate of authorization, who shall not have duly made and acknowledged the declaration prescribed in subdivision four of section three of this act.

§ 10. The superintendent shall transmit such certificate of authorization to the county clerk of the county in which the savings bank, so authorized, is to be located, who shall file the same and attach it to the certificate of association previously filed by him, relating to the organization of such savings bank; and the superintendent shall also file a duplicate copy of such certificate in his own office.

§ 11. If the superintendent shall not be satisfied that the establishment of a savings bank, as proposed in any certificate of association filed by him, is expedient and desirable, he shall, within sixty days after the filing of such certificate by him, give notice to the county clerk of the county in which such savings bank is proposed to be located, that he refuses to issue a certificate of authorization for such savings bank, which

notice shall forthwith be filed by the county clerk with the certificate of association of such savings bank.

§ 12. Upon the filing of any certificate of authorization of a savings bank as hereinbefore provided, the persons named therein, and their successors, shall thereupon and thereby be duly and lawfully constituted a body corporate and politic, and shall be vested with all the powers and charged with all the liabilities conferred and imposed by this act.

§ 13. Before any savings bank, so incorporated, shall be authorized to receive deposits, such corporation shall transmit to the superintendent of the banking department the name, residence and post-office address of each of the officers of such savings bank, and the place where its business is to be carried on, designating the same by street and number, when practicable.

§ 14. Any savings bank, so incorporated, that shall not organize and commence business within one year after the certificate of authorization of the same has been filed, as hereinbefore provided, shall forfeit its rights and privileges as a corporation under this act; but the superintendent of the banking department may, for satisfactory cause to him shown, extend the term within which such organization may be effected and such business commenced, but not for a longer period than one year; and the order, so extending such term, shall be under his hand and seal, and shall be transmitted to the county clerk of the county in which such savings bank is to be located, who shall file the same, together with the certificate of association and the certificate of authorization of such savings bank.

§ 15. The persons named in the certificate of authorization, issued pursuant to the provisions of this act, shall be the first trustees of such corporation, and shall have the entire management and control of all the affairs of the corporation, subject to the provisions of this act.

§ 16. The business of every such corporation shall be managed and directed by a board of trustees of not less than thirteen, who shall elect from their number a president and two vice-presidents, and shall elect or appoint from their number, or otherwise, such other officers as they may see fit; and all vacancies in such board by death, resignation or otherwise, shall be filled by the board of trustees as soon as practicable, at a regular meeting after such vacancies shall occur.

§ 17. The board of trustees of any such corporation shall have power, from time to time, to make such by-laws, rules and regulations as they may think proper, for the election of officers, for prescribing their respective powers and duties, and the manner of discharging the same; for the appointment and duties of committees, and generally for transacting, managing and directing the affairs of the corporation; provided such by-laws, rules and regulations are not repugnant to nor inconsistent with the provisions of this act, to the Constitution and laws of this State, or of the United States; and a copy of the same shall be transmitted to the Superintendent of the Bank Department, who shall also be notified of any amendment or change therein.

§ 18. Regular meetings of the board of trustees shall be held as often as once in each month, for the purpose of receiving the reports of its officers and committees, and for the transaction of other business. A quorum at any regular, special or adjourned meeting, shall consist of not less than seven trustees, of whom the president shall be one, except where he is prevented from attending any meeting by sickness, or other unavoidable detention, when he may be represented, in forming a quo-

rum, by the first vice-president, who, in case of his absence for like cause, may be represented by the second vice-president; but less than a quorum shall have power to adjourn from time to time, or until the next regular meeting.

§ 19. Whenever a trustee of any savings bank shall hereafter become a trustee, officer, clerk or employee in any other savings bank, or upon his borrowing, directly or indirectly, any of the funds of the savings bank of which he is trustee, or becoming a surety or guarantor for and money borrowed of or loan made by such savings bank, or upon his failure to attend the regular meetings of the board, or to perform any of the duties devolved upon him as such trustee for six successive months, without having been previously excused by the board for such failure, the office of such trustee shall thereupon immediately become vacant; but the trustee vacating his office by failure to attend meetings or to discharge his duties, may, in the discretion of the board, be eligible to a re-election.

§ 20. The trustees of any such corporation shall have power to require, from the officers, clerks and agents of the corporation, such security for their fidelity and the faithful performance of their duties as they shall deem necessary, and to fix the salaries of such officers and agents, subject to the provisions of this act.

§ 21. No trustee of any such corporation shall have any interest whatever, direct or indirect, in the gains or profits thereof, nor as such, directly or indirectly, receive any pay or emolument for his services, except as hereinafter provided; and no trustee or officer of any such corporation shall, directly or indirectly, for himself, or as the agent or partner of others, borrow any of its funds or deposits, or in any manner use the same, except to make such current and necessary payments as are authorized by the board of trustees; nor shall any trustee or officer of such corporation hereafter become an indorser or surety, or become in any manner an obligor for moneys loaned by or borrowed of such corporation.

§ 22. It shall be lawful for any savings bank to receive on deposit any sum or sums of money that may be offered for that purpose by any person or persons, or by any corporations or societies, and to invest the same, and declare, credit and pay dividends thereon, as hereinafter authorized and provided, and not otherwise.

§ 23. The sums so deposited, together with any dividends or interest credited thereto, shall be repaid to such depositors respectively, or to their legal representatives, after demand, in such manner and at such times and after such previous notice and under such regulations as the board of trustees shall prescribe, which regulations shall be put up in some conspicuous place in the room where the business of such corporation shall be transacted, and shall be printed in the pass-books or other evidence of deposit furnished by the corporation, and shall be evidence between the corporation and the depositors holding the same, of the terms upon which the deposits therein acknowledged are made; provided that every such corporation shall have the right to limit the aggregate amount which any one person or society may deposit to such sum as they may deem it expedient to receive, and may, in their discretion, refuse to receive a deposit, and may also at any time return all or any part of any deposit; nor shall the aggregate amount of such depos-

its to the credit of any one individual or corporation at any time exceed five thousand dollars exclusive of accrued interest, unless such deposit was made prior to the passage of this act, or pursuant to the order of a court of record, or of a surrogate.

§ 24. Whenever any deposit shall be made by or in the name of any person being a minor, or a female, being or thereafter becoming a married woman, the same shall be held for the exclusive right and benefit of such depositor, and free from the control or lien of all persons whatsoever except creditors, and shall be paid, together with the dividends or interest thereon, to the person in whose name the deposit shall have been made, and the receipt or acquittance of such minor, or female, shall be a valid and sufficient release and discharge for such deposit, or any part thereof, to the corporation. And whenever any deposit shall be made by any person in trust for another, and no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to the bank, in the event of the death of the trustee, the same, or any part thereof, together with the dividends or interest thereon, may be paid to the person for whom the said deposit was made.

§ 25. In all actions in any court of this State against any savings bank by a husband to recover for moneys deposited by his wife in her own name, or as her own money, the wife may be examined and testify as a witness in like manner as if she were an unmarried woman. And in all actions against any savings bank to recover for moneys on deposit therewith, if there be any person or persons, whether husband or wife, or otherwise, claiming the same fund, who are not parties to the action, the court in which such action is pending may, on the petition of such savings bank, and upon eight days' notice to the plaintiff and such claimants, make an order amending the proceedings in said action by making such claimants parties defendant thereto; and the said court shall thereupon proceed to hear and determine the rights and interests of the several parties to said action in and to said funds. The said funds or deposits which are the subject of the said action, may remain with such savings bank, upon the same interest as other deposits of like amount, to the credit of the action, until final judgment therein, and the same shall be paid by such savings bank in accordance with the order of the court, or the deposit in controversy may be paid into court to await the final determination of the action, and when so paid into court the corporation shall be stricken out as a party to such action and its liability for such deposit shall cease. The question of costs in the actions referred to in this section shall, in all cases, be in the discretion of the court, and may be charged upon the fund affected by such action; and the statutes limiting the time within which actions shall be commenced, shall have no application to actions brought by depositors, their representatives or assigns against savings banks for deposits made therein.

§ 26. It shall be lawful for the trustees of any savings bank to invest the moneys deposited therein only, as follows, to wit:

1. In the stocks or bonds or interest-bearing notes or obligations of the United States, or those for which the faith of the United States is pledged to provide for the payment of the interest and principal.

2. In the stocks or bonds of this State bearing interest.

3. In the stocks or bonds of any State in the Union that has not, within ten years previous to making such investment by such corpora-

tion, defaulted in the payment of any part of either principal or interest of any debt authorized by any legislature of such State to be contracted.

4. In the stocks or bonds of any city, county, town or village of this State issued pursuant to the authority of any law of this State, or in any interest-bearing obligations issued by the city in which such bank shall be situated.

5. In bonds and mortgages or unincumbered real estate situate in this State, and worth at least twice the amount loaned thereon, but not to exceed sixty per cent of the whole amount of deposits, shall be so loaned or invested; but in case the loan is on unimproved or unproductive real estate, the amount loaned thereon shall not be more than forty per cent of its actual value; and no investment in any bond and mortgage shall be made by any savings bank, except upon the report of a committee charged with the duty of investigating the same, and who shall certify to the value of the premises mortgaged or to be mortgaged, according to their best judgment, and such report shall be filed and preserved among the records of the institution.

6. In real estate, subject to the provisions of section twenty-nine of this act.

§ 27. It shall be the duty of the trustees of any such corporation, as soon as practicable, to invest the moneys deposited with them in the securities named in the twenty-sixth section of this act, except that, for the purpose of making current payments and expenses in excess of the receipts, there may be kept an available fund of not exceeding ten per cent of the whole amount of deposits with such corporation, and the same may be kept on hand, or on deposit, in any bank or banking association in the State of New York, organized under any law or laws of this State or of the United States, or with any trust company incorporated by any law of this State, but the sum so deposited in any one bank or trust company shall not exceed twenty-five per cent of the paid-up capital and surplus of such bank or trust company; or such available fund, or any part thereof, may be loaned upon pledge of the securities, or any of them, named in subdivisions one, two, three, and four of section twenty-six of this act; but not in excess of ninety per cent of the cash market value of such securities so pledged, nor in excess of the par value thereof; and should any of the securities so held in pledge depreciate in value, after making any loan thereon, it shall be the duty of the trustees to require the immediate payment of such loan, or of a part thereof, or additional security therefor, so that the amount loaned shall at no time exceed ninety per cent of the market value of the securities pledged for the same.

§ 28. It shall further be lawful for any such corporation to deposit temporarily in banks or trust companies, as provided in the last preceding section of this act, the excess of current daily receipts over the payments, until such time as the same can be judiciously invested in the securities named in section twenty-six of this act; and whenever it shall appear to the superintendent of the bank department that the trustees of any such corporation are violating the spirit and intent of the foregoing provision, by keeping permanently uninvested all, or an undue proportion, of the moneys received by them, it shall be his duty to report the facts to the attorney-general, who shall proceed against such corporation under the provisions of section forty-four of this act.

§ 29. It shall be lawful for any such corporation to purchase, hold or convey real estate only as follows:

1. A plot whereon is erected, or may be erected, a building or buildings requisite for the convenient transaction of its business, and from portions of which, not required for its own use, a revenue may be derived. The cost of such building or buildings and lot in no case to exceed fifty per cent of the net surplus of such corporation, except by written permission of the superintendent of the banking department, except where lots have been heretofore purchased, or where maps, plans and estimates have been made for the purpose of erecting a banking building.

2. Such as shall have been purchased by it at sales upon the foreclosure of mortgages owned by such corporation, or upon judgments or decrees obtained or rendered for debts due to it or in settlements affected to secure such debts; and all such real estate mentioned in the last preceding clause, shall be sold by such corporation within five years after the same shall be vested in it, unless upon application by the board of trustees, the superintendent of the banking department shall extend the time within which such sale shall be made; and it shall be lawful for any such corporation, with the approval in writing, and under the seal of the superintendent of the banking department, to change its location within the limits of any city or town wherein it may be established; and in affecting such change of location, such corporation owning a banking house and lot may purchase such additional plot under the provisions of subdivision one of this section as the corporation may require; and such banking house and lot previously owned and occupied shall be sold, as provided in subdivision two of this section, concerning real estate acquired in satisfaction of debts.

§ 30. It shall not be lawful for the trustees of any savings bank to loan the moneys deposited with them, or any part thereof, upon notes bills of exchange, drafts or any other personal securities whatever; and in all cases of loans upon real estate, a sufficient bond, secured by a mortgage thereon, shall be required of the borrower, and all the expenses of searches, examinations and certificates of title or appraisals of value and of drawing, perfecting and recording papers, shall be paid by such borrower.

§ 31. Whenever buildings are included in the valuation of any real estate upon which a loan shall be made by any such corporation, they shall be insured by the mortgagor in such company or companies as the trustees shall direct, and the policy of insurance shall be duly assigned, or the loss made payable as its interest may appear, to such corporation; and it shall be lawful for such corporation to renew such policy of insurance in the same or in any other company or companies, as they may elect, from year to year, or for a longer or shorter term, in case the mortgagor shall neglect to do so, and may charge the amount paid to the mortgagor. And all the necessary charges and expenses paid by such corporation for such renewal or renewals shall be paid by such mortgagor to such corporation, and shall be a lien upon the property so mortgaged, recoverable with interest from the time of payment as part of the moneys secured to be paid by such mortgage.

§ 32. It shall be unlawful for any savings bank, directly or indirectly, to deal or trade in real estate, in any other case or for any other purpose than as authorized in section twenty-nine of this act, or to deal or trade in any goods, wares, merchandise or commodities whatever, except as authorized by the terms of this act, and except such personal property as may be necessary in the transaction of its business; and it shall be unlawful for any savings bank, or for any officer, in his regular attend-

ance upon the business of such bank, to in any manner engage in the business, in such bank, of buying or selling exchange, gold or silver, or in the business of collecting or protesting promissory notes or time bills of exchange.

§ 33. It shall be the duty of the trustees of every such corporation to regulate the rate of interest or dividends, not to exceed six per centum per annum, upon the deposits therewith, in such manner that depositors shall receive, as nearly as may be, all the profits of such corporation, after deducting necessary expenses and reserving such amount as the trustees may deem expedient as a surplus fund for the security of depositors, which, to the amount of ten per cent of their deposits, the trustees of any such corporation are hereby authorized gradually to accumulate and hold, to meet any contingency or loss in its business, from the depreciation of its securities or otherwise; provided, however, that the trustees of any such corporation may classify their depositors according to the character, amount, and duration of their dealings with the corporation, and regulate the interest or dividends allowed, in such manner that each depositor shall receive the same ratable proportion of interest or dividends as all others of his class.

It shall be unlawful for the trustees of any savings bank to declare or allow interest on any deposit for a longer period than the same has been deposited, except that deposits made not later than the tenth day of the month, commencing any semi-annual interest period or than the third day of any month, or withdrawn on one of the last three days of the month, may have interest declared upon them for the whole of the period or month when so deposited or withdrawn. No dividends or interest shall be declared, credited or paid except by the authority of a vote of the board of trustees, duly entered upon their minutes, whereon shall be recorded the ayes and nays upon such vote, and whenever any interest or dividends shall be declared and credited in excess of the interest or profits earned and appearing to the credit of the corporation, the trustees voting for such dividend shall be jointly and severally liable to the corporation for the amount of such excess so declared and credited. And it shall be the duty of the trustees of any such corporation, whose surplus amounts to ten per cent of its deposits at least once in three years, to divide equitably the accumulation beyond such authorized surplus as an extra dividend to depositors, in excess of the regular dividends heretofore authorized.

§ 34. In determining the per cent of surplus held by any savings bank, its interest-paying stocks and bonds shall be estimated at their market value. Its bonds and mortgages on which there are no arrears of interest for a longer period than six months shall be estimated at their face, and its real estate at not above cost. Concerning such stocks or bonds, or bonds and mortgages as are in arrears of interest for six months or more, and concerning all other investments not herein enumerated, the superintendent of the banking department shall determine the valuation of the same, from the best information he can obtain, and he may change the valuation thereof, from time to time, according as he may obtain other and further information.

§ 35. It shall be lawful for trustees of such corporation, acting as officers of the same, whose duties require and receive their regular and faithful attendance at the institution, to receive such compensation as in the opinion of a majority of the board of trustees shall be just and reasonable; but such majority shall be exclusive of any trustee to whom

such compensation shall be voted; but it shall not be lawful to pay trustees, as such, for their attendance at meetings of the board.

§ 36. Every such corporation shall, on or before the first day of February in each year, make a report in writing to the superintendent of the banking department, and in such form as he shall prescribe, of its condition on the morning of the first day of January preceding.

§ 37. Such report shall state the amount loaned upon bond and mortgage, together with a list of such bonds and mortgages, and the location of the mortgaged premises, as have not previously been reported, and also a list of such previously reported as have since been paid wholly or in part, or have been foreclosed, and the amount of such payments respectively; the cost, par value and estimated market value of all stock investments, designating each particular kind of stock; the amount loaned upon the pledge of securities, with a statement of the securities held as collateral for such loans; the amount invested in real estate, giving the cost of the same; the amount of cash on hand, and on deposit in banks or trust companies, with the names of such banks or trust companies, and the amount deposited in each; and such other information as the superintendent may require.

§ 38. Such report shall also state all the liabilities of such savings corporation on the morning of the said first day of January; the amount due to depositors, which shall include any dividend to be credited to them for the six months ending on that day and any other debts or claims against such corporation which are or may be a charge upon its assets. Such report shall also state the amount deposited during the year previous, and the amount withdrawn during the same period; the whole amount of interest or profits received or earned, and the amount of dividends credited to depositors, together with the amount of each semi-annual credit of interest and the amount of interest that may have been credited at other than semi-annual periods; the number of accounts opened or re-opened the number closed during the year, and the number of open accounts at the end of the year, and such other information as may be required by the superintendent.

§ 39. Such report shall be verified by the oath of the two principal officers of the institution, and the statement of assets shall be verified by the oath of a majority of the trustees who examined the same, pursuant to the requirements of section forty-five of this act; and any willful false swearing in regard to such reports, or in regard to any reports made to the superintendent of the banking department pursuant to the provisions of this act, shall be deemed perjury, and be subject to the prosecutions and punishments prescribed by law for that offense.

§ 40. If any savings bank shall fail to furnish to the Superintendent of the Banking Department any report or statement required by this act, at the time so required, it shall forfeit the sum of one hundred dollars per day for every day such report or statement shall be so delayed or withheld; and the said Superintendent may maintain an action in his name of office to recover such penalty, and when collected the same shall be paid into the treasury of the State, and be applied to the expenses of the Bank Department; but the Superintendent may, for sufficient cause, extend the time for making such report not exceeding thirty days.

§ 41. No such corporation shall hereafter be required to make any annual or other report to the legislature, nor to the mayor or commonalty of any city, nor to the board of supervisors of any county, nor to

any other officer or authority whatsoever, except as in this act provided and required, any thing in the charter of any such corporation to the contrary notwithstanding, nor shall they be subject to the inspection or supervision of any local officer, or board, nor to any interference from any such local officer or board in any matters pertaining to the business or dealings of such corporation.

§ 42. It shall be the duty of the superintendent of the banking department, on or before the first day of March in each year, to communicate to the legislature a statement of the condition of every such corporation from which a report has been received for the preceding year; also the name and location of savings corporations authorized by him during the previous year, with the date of their incorporation, and particularly designating those incorporated at any time which have commenced business during the previous year.

§ 43. It shall be the duty of the said superintendent once in two years, either personally or by some competent person or persons to be appointed by him, to visit and examine every savings corporation in this State. The superintendent shall also have power, in like manner, to examine any such corporation whenever, in his judgment, its condition or management is such as to render an examination of its affairs necessary or expedient. The said superintendent and every such examiner shall have power to administer an oath to any person whose testimony may be required on any such examination, and to compel the appearance and attendance of any such person for the purpose of such examination by summons, subpoena or attachment, in the manner now authorized in respect to the attendance of persons as witnesses in the courts of record of this State; and all books and papers which it may be deemed necessary to examine by the superintendent, or the examiner or examiners so appointed, shall be produced, and their production may be compelled in like manner. The expense of every such special examination, if any, shall be paid by the corporation examined in such amount as the superintendent shall certify to be just and reasonable. Whenever such special examination shall be made by the superintendent in person, or by one or more of the regular clerks in his department, no charge shall be made except for necessary traveling and other actual expenses. The result of any such examination shall be certified by the examiners, or one of them, upon the records of the corporation examined, and the results of all the regular examinations during the previous year shall be embodied in the annual report of the superintendent required by this act to be submitted to the legislature.

§ 44. Whenever it shall appear to the said superintendent, from any examination made by him, or from the report of any examination made to him, or from the report made by any such corporation pursuant to the requirements of sections thirty-six, thirty-seven and thirty-eight of this act, that any such corporation has committed any violation of its charter or of law, or is conducting its business and affairs in an unsafe or unauthorized manner, he shall, by an order under his hand and seal, direct the discontinuance of such illegal and unsafe or unauthorized practices, and strict conformity with the requirements of the law, and with safety and security in its transactions; and whenever any such corporation shall refuse or neglect to make any such report as is hereinbefore required, or to comply with any such order as aforesaid; or, whenever it shall appear to the superintendent that it is unsafe or inexpedient for any such corporation to continue to transact business, he shall communicate the facts to

the attorney-general, who shall thereupon institute such proceedings as the nature of the case may require.

The proceedings instituted by the attorney-general may be for the removal of one or more of the trustees, or for the transfer of the corporate powers to other persons, or the consolidation and merger of the corporation with any other savings corporation that may be willing to accept of the trust, or for such other or further relief or correction as the particular facts communicated to him shall seem to require. And the court before whom such proceedings shall be instituted shall have power to grant such orders, and, in its discretion, from time to time, to modify or revoke the same, as the evidence in the case and the situation of the parties, and the interests involved shall seem to require.

§ 45. It shall be the duty of the trustees of every savings bank, by a committee of not less than three of such trustees, on or about the first day of January in each year, to thoroughly examine the books, vouchers and assets of such savings bank, and its affairs generally, and the statement or schedule of assets reported to the Superintendent of the Banking Department for the first of January in each year, shall be based upon such examination, and shall be verified by the oath of a majority of the trustees making such examination; but nothing herein contained shall be construed as prohibiting the trustees of any savings bank from requiring such examinations at such other times as they shall prescribe.

§ 46. The superintendent of the banking department is hereby authorized from time to time to employ so many clerks and examiners as may be necessary to discharge, in a proper manner, the duties imposed upon him by this act; and the salary of the said clerks and examiners shall be paid to them monthly out of the treasury of the State, upon the certificate of the superintendent and the warrant of the comptroller, and it shall be the duty of the said superintendent, in his annual report to the legislature, to state the names of the clerks and examiners so employed, and the compensation allowed to them severally.

§ 47. For the purpose of defraying the expenses incurred in the performance by the superintendent of the general duties, including the regular examinations, imposed upon him by this act, each savings corporation shall pay five dollars, and the residue of such expenses shall be paid by savings corporations, whose deposits exceed one hundred thousand dollars, in proportion to the amount of assets severally held and reported by them, and the sums so contributed shall be paid into the treasury of the State. If any such savings corporation shall, after due notice, refuse or neglect for thirty days to pay its allotted share of such charges, the said superintendent may maintain an action in his name of office against such corporation for the recovery of such charges.

§ 48. All the assets of any bank or banking association now or hereafter organized, that shall become insolvent, shall, after providing for the payment of its circulating notes, if it shall have any, be applied by the directors, assignee or receiver thereof, in the first place to the payment in full of any sum or sums of money deposited therewith by any savings corporation, but not to an amount exceeding that authorized to be so deposited by the provisions of section twenty-seven of this act, and the foregoing provisions of this section shall also extend and apply to trust companies receiving deposits of savings corporations as authorized by this act, subject, however, to any preference in payment declared and provided in the charters of such trust companies, respectively.

§ 49. It shall not be lawful for any bank, banking association, or individual banker, to advertise or put forth a sign as a savings bank, or in any way to solicit or receive deposits as a savings bank; and any bank, banking association or individual banker, which shall offend against these provisions, shall forfeit and pay for every such offense the sum of one hundred dollars for every day such offense shall be continued, to be sued for and recovered in the name of the people of this State, by the district attorneys of the several counties, in any court having cognizance thereof, for the use of the poor, chargeable to said county in which such offense shall be committed.

§ 50. It shall be lawful for the board of trustees of any savings corporation, by a resolution to be incorporated in their by-laws, a copy of which shall also be filed with the superintendent of the banking department, to reduce the number of trustees named in the original charter of such corporation, to a number not less than the minimum named in this act, such reduction to be effected gradually by the occurrence of vacancies by death, resignation or forfeiture, until the number is reduced to thirteen, or to such greater number as shall be designated in the aforesaid resolution, or the number of trustees may be increased to any number designated in a resolution for that purpose, where reasons therefor are shown to the satisfaction of the superintendent, and his consent in writing obtained thereto.

§ 51. Whenever a majority of all the trustees of any such corporation shall, by a resolution to be entered upon their minutes, express a desire and purpose to change the name of such corporation, the same may be effected in the manner following, to wit: Notice of intention to apply to the superintendent of the banking department for leave to change the name of such corporation, specifying the name thereof, and the name to which it is proposed to change the same, shall be published as required in section five of this act. After such publication application may be made to the superintendent to change the name of such corporation to such name as has been agreed upon in such resolution, and published in such notice, evidence of which resolution and publication must be made satisfactory to the superintendent, together with such application. If it shall appear to the superintendent that it is expedient and proper that such change of name be made, he shall, by an order under his hand and seal of office, direct and authorize such change of corporate name to be made, and designate some day in the future, not to exceed thirty days from the date of such order, when the said change shall take effect. Such order shall be executed in triplicate, one copy shall be transmitted and filed in the office of the county clerk of the county in which such corporation is located; one copy shall be transmitted to the corporation affected thereby, and one copy shall be filed in the office of the superintendent of the banking department. Thereupon from the date designated in such order for such change of name to take effect, such corporation shall be known and described by the name designated in such order, and by such name shall have all the rights and powers to which it would be entitled if such change had not been made; but no such change shall in any manner lessen or impair any liability of such corporation incurred or existing at the time such change of name shall be made.

§ 52. The powers, privileges, duties and restrictions conferred and imposed upon any savings corporation, by whatever name known, by

its charter or act of incorporation, are hereby abridged, enlarged or modified, as each particular case may require, in such manner that each and every such charter or act of incorporation shall be made to conform to the provisions of this act, and to such amendments as may be made thereto; and each and every such savings corporation shall possess the powers, rights and privileges, and be subject to the duties and restrictions and liabilities conferred and imposed by this act, any thing in their respective charters or acts of incorporation to the contrary notwithstanding. But nothing in this act shall be construed to affect the legality of investments heretofore made, or of transactions heretofore had, pursuant to any provisions of law in force when such investments were made, or transactions had, nor to require the change of investments for those named in this act, except as the same can be done gradually by the sale or redemption of the securities so invested in, in such manner as to prevent loss or embarrassment in the business of such corporation, or unnecessary loss or injury to the borrowers on such securities. And the investment hereafter in any securities not named in this act, or the amendments that may be made thereto, shall be deemed a misdemeanor, on part of the trustees authorizing, or officers making, the same; and such trustees or officers shall be subject to the prosecutions and punishments prescribed by law for that offense.

§ 53. All certificates or other evidences of deposit, made in pursuance of the regulations and usages of any such corporation, shall be as binding upon such corporation as though made under its common seal.

§ 54. The misnomer of any such corporation in any deed, grant, contract, conveyance or other instrument, shall not vitiate or impair the same, if the corporation be sufficiently described therein to ascertain the intention of the parties.

§ 55. This act is hereby declared to be a public act, and shall be construed favorably for every beneficial purpose therein contained.

§ 56. The following acts and parts of acts are hereby repealed, to wit: Sections three, four, six, chapter two hundred and sixty-two, of the laws of eighteen hundred and thirty-five, entitled "An act relative to unclaimed dividends and deposits."

Chapter three hundred and forty-seven of the laws of eighteen hundred and thirty-nine, entitled "An act in relation to savings banks."

Chapter four hundred and seventy-eight of the laws of eighteen hundred and forty-seven, entitled "An act in relation to deposits by banks of savings."

Chapter four hundred and thirty-seven of the laws of eighteen hundred and forty-nine, entitled "An act to amend an act relative to unclaimed bank dividends and deposits, passed May nine, eighteen hundred and thirty-five, and for other purposes," so far as its provisions may apply to savings corporations.

Chapter ninety-one of the laws of eighteen hundred and fifty, entitled "An act for the protection of savings banks and institutions receiving deposits from married women," so far as the same relates to savings banks.

Chapter two hundred and fifty-seven of the laws of eighteen hundred and fifty-three, entitled "An act relative to savings banks, or institutions for saving, in the city and county of New York, and the county of Kings."

Chapter four hundred and ninety-two of the laws of eighteen hundred and fifty-three, entitled "An act to amend an act entitled 'An act rela-

tive to savings banks, or institutions for savings, in the city and county of New York and the county of Kings,' passed April fifteen, eighteen hundred and fifty-three."

Chapter seventy-two of the laws of eighteen hundred and fifty-four, entitled "An act to authorize savings banks, or institutions for savings, to deposit surplus funds in trust companies."

Chapter three hundred and thirty-six of the laws of eighteen hundred and fifty-five, entitled "An act to regulate the distribution of the assets of savings banks, or institutions for savings, by receivers thereof."

Chapter one hundred and thirty-six of the laws of eighteen hundred and fifty-seven, entitled "An act in relation to savings banks."

Chapter one hundred and thirty-two of the laws of eighteen hundred and fifty-eight, entitled "An act to restrain banks, banking institutions and individual bankers from assuming the title of savings banks, or receiving deposits as such."

Chapter one hundred and thirty-six of the laws of eighteen hundred and fifty-eight, entitled "An act in relation to savings banks in the city of Buffalo, and to amend an act entitled 'An act relative to savings banks, or institutions for savings, in the city and county of New York and the county of Kings,' passed April fifteenth, 1853."

Chapter three hundred and fifteen of the laws of eighteen hundred and sixty-three, entitled "An act to amend the act in relation to savings banks."

Chapter one hundred and thirteen of the laws of eighteen hundred and sixty-four, entitled "An act to authorize savings banks and savings institutions of this State to make loans to counties on their bonds."

Chapter two hundred and fourteen of the laws of eighteen hundred and sixty-five, entitled "An act relating to deposits by savings banks."

Section seven, chapter seven hundred and sixty-one, of the Laws of eighteen hundred and sixty-six, entitled "An act authorizing the taxation of stockholders of banks, and the surplus funds of savings banks."

Chapter thirty-two of the laws of eighteen hundred and sixty-seven, entitled "An act to amend chapter one hundred and thirty-six, laws of eighteen hundred and fifty-seven, and chapter two hundred and fifty-seven, laws of eighteen hundred and fifty-three, in relation to savings banks."

Chapter eight hundred and sixty-one of the laws of eighteen hundred and sixty-seven, entitled "An act to amend chapter seven hundred and sixty-one, of the laws of eighteen hundred and sixty-six, in relation to the taxation of the surplus funds of savings banks."

Chapter eight hundred and forty-five of the laws of eighteen hundred and sixty-eight, entitled "An act relative to savings banks."

Chapter two hundred and thirteen of the laws of eighteen hundred and sixty-nine, entitled "An act to regulate and restrict the organization of savings banks or institutions for savings."

So much of section four as relates to savings banks, chapter nine hundred and seven of the laws of eighteen hundred and sixty-nine, entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April second, eighteen hundred and fifty, so as to permit municipal corporations to aid the construction of railroads."

Chapter six hundred and sixty of the laws of eighteen hundred and seventy-one, entitled "An act to facilitate mortgage loans on lands

authorized to be sold forming a portion of Prospect park, in the city of Brooklyn."

Chapter six hundred and ninety-three of the laws of eighteen hundred and seventy-one, entitled "An act to amend an act in relation to savings banks, passed March twentieth, eighteen hundred and fifty-seven, and to confer additional powers upon the superintendent of the banking department, in relation to savings banks in the State."

Chapter nine hundred and seven of the laws of eighteen hundred and seventy-one, entitled "An act relative to savings banks," or any other acts, or parts of acts, relating to savings banks or institutions for savings.

§ 57. This act shall take effect immediately.

S. S. LOWERY,

D. P. WOOD,

JACOB A. GROSS,

Senate Committee.

G. W. SCHUYLER,

THOMAS C. CAMPBELL,

THOMAS G. ALVORD,

FREDERICK W. SEWARD,
Assembly Committee.

Mr. Wood moved that the report be laid upon the table and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Your committee of conference, to which the matters of difference between the two Houses upon the Assembly bill entitled "An act to provide for the support of government," beg leave to report that they have met and duly considered the same, and have agreed to recommend that the Assembly do concur in the following amendments to the bill as proposed by the Senate, namely. (Reference in all cases being had to the engrossed bill.)

Page 1, line 12, item in relation to the clerks and messengers in the executive department, as amended, which was read as follows:

"For the clerks and messengers in the executive department, including the military secretary and messenger, for full compensation, eleven thousand five hundred dollars."

Page 2, line 21, after the word "appeals," insert the words "and State Engineer and Surveyor (the same messenger)."

Line 25, change the word "expense" to the word "expenses."

Line 26, after the word "dollars," add the following:

"For compensation of stenographers, pursuant to chapter 765 of the Laws of 1868, six thousand dollars; said amount to be paid only from the moneys which have been or shall be paid into the treasury for taxes levied for the purposes of said act and in pursuance thereof"

Page 3, line 2, change the word "salary," to the word "salaries."

Page 4, line 9, strike out the word "five," and insert the word "six."

After the word "thousand," insert the words "five hundred."

Same page, line 24, change the word "treasurers" to "treasury."

Same page, line 31, strike out the word "six," and insert the word "eight."

Page 5, line 3, after the word "dollars," insert the following:

"For the Department of Public Instruction, for traveling expenses, which may be incurred in the visitation of common schools, normal schools, teachers' institutes, Indian schools, and other institutions under the supervision of that department, pursuant to part 1, chapter 15, title 2, section 11 of the Revised Statutes, and chapter 555, title 1, section 13 of the Laws of 1864, five hundred dollars."

Page 5, line 30, strike out the word "eight," and insert the word "five."

Page 7, line 24, strike out the word "and."

Page 8, line 16, change the word "clerks" to "clerk."

Line 18, change the word "officers" to "offices."

Page 10, line 3, change the word "keepers" to "keeper."

Line 17, strike out all after the word "dollars," down to and including the word "dollars," in line 22.

Line 26, strike out the word "thirty," and insert the words "forty-five."

Line 34, after the word "named," insert the words "indexing bills, journals, and documents of the Senate and Assembly."

Page 11, after line 8, insert the following:

"STATE PRISONS.

"For the inspectors of State prisons, for salaries, to each of them, one thousand six hundred dollars, and for traveling expenses, to each of them, one thousand dollars.

Line 24, strike out the word "one" and insert the word "two." Strike out the words "five hundred." Strike out all of lines 35 and 36.

Page 12, line 16, after the words "of the," insert the words "agent of the."

After line 25, insert as follows :

"For the Thomas Asylum for Orphan and Destitute Indian Children, for the education and maintenance of one hundred children, in pursuance of chapter of the Laws of 1875, at the rate of eighty-five dollars per capita, the sum of eight thousand five hundred dollars."

Strike out lines 26 to 29, both inclusive, relative to support of Susan Green.

Page 14, after line 14, insert as follows :

"And three thousand dollars for the year commencing the first day of October, 1875, to be expended under the direction of the commissioners. Any sum payable out of the moneys so appropriated shall be paid to the person entitled thereto, upon his presenting the proper vouchers, certified by either of the commissioners as by their order, or it shall be allowed and repaid to the commissioners in like manner as their other official expenses."

Page 15, after line 9, insert as follows :

"For the support and instruction of thirty pupils at the Central New York Institution for Deaf Mutes in the city of Rome, pursuant to the provisions of an act entitled 'An act relative to the care and education of deaf-mutes,' passed in the year 1875, or a proportionate amount for a shorter period of time than one year, or for a smaller number of pupils, the sum of nine thousand dollars, to be paid by the Comptroller upon the certificate and oath of the president and secretary of the said institution, approved by the Superintendent of Public Instruction, and this sum shall be in full of all demands upon the State up to the first day of October, 1876."

Line 22, after the word "forty" insert the word "five."

Page 16, line 2, after the word "pupils" insert the words "or a shorter period of time than one year."

After line 12, insert as follows :

"For the support of Mark Jack, an insane Indian at the asylum, two hundred and fifty dollars."

"For the support of Susan Green an insane Indian woman, at the asylum, two hundred and fifty dollars, which sum is hereby fixed as the annual compensation for such support."

After line 15, insert as follows :

"STATE INEBRIATE ASYLUM.

"For payment of salaries of superintendent, assistant physician, steward, chaplain and matron of the State Inebriate Asylum at Bing-hamton (chapter 625, Laws of 1873), six thousand dollars, or so much thereof as may be necessary ; also, the sum of five hundred dollars, or so much thereof as may be necessary, for traveling and other expenses of the managers of the asylum, to be audited as required by law."

Line 22, strike out the word "four" and insert the word "three." After the word "thousand" insert the words "five hundred."

Line 28, after the word "three" insert the words "and chapter 464 of the Laws of 1874."

Page 19, line 25, change the word "treasurers" to "treasury."

Page 20, line 21, strike out the word "made."

Page 18, line 35, after the word "thirty," insert the word "five."

And your committee further report that they have agreed to recommend that the Senate do recede from the following amendments to the bill as prepared by the Senate, namely :

Page 3, line 32, strike out the words "one thousand," and insert the words "eight hundred."

Page 5, line 7, strike out the word "nine," and insert the word "eight;" and after the word "thousand," insert the words "six hundred and seventy-five."

Line 17, to strike out the word "five," and insert the word "two."

Page 17, line 14, strike out the word "five," and insert the word "four."

Page 18, after line 18, insert the following :

"The appropriations made in this act for academies shall be applied exclusively to that class of institutions; and for the benefit of the academical departments of union schools, the sum of sixty-one thousand dollars, or so much as may be derived from a tax of three one-hundredths of a mill upon each dollar of the taxable property of the State. The said sum to be distributed as prescribed by this act for the academies, which is hereby ordered to be levied for each and every year."

And your committee further report that they have agreed to recommend that the Senate do recede from the following amendment to the bill proposed by the Senate, and insert the same as amended :

Page 10, line 11, after the word "society," insert the words "and the central and western New York societies."

Strike out all of lines 10, 11 and 12, on page 10, and insert the following amendment :

"For the promotion of agriculture, to be distributed in premiums by the State Agricultural Society to the agricultural societies in counties, and American Institute in the city of New York, in the ratios prescribed by the act to promote agriculture, passed May 5, 1841, and the act to provide for the distribution of the moneys appropriated to promote agriculture, and for other purposes, passed April 12, 1848, twenty thousand dollars. To enable the county of Monroe to receive its shares of the above appropriations, the Western New York

Agricultural, Mechanical and Driving Park Association of Rochester shall be considered as the county agricultural society of the county of Monroe.

All of which is respectfully submitted.

D. P. WOOD,
JOHN C. JACOBS,
J. H. SELKREG,

Senate Committee.

S. H. HAMMOND,
E. E. DAVIS,
JAMES DALY,
T. G. ALVORD,

Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Middleton	Thompson
Cole	Kellogg	Moore	Tobey
Connelly	King	Parmenter	Wagner
Dow	Laning	Ray	Wood
Fox	Ledwith	Robertson	Woodin
Gross	McGowan	Selkreg	

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FOR THE NEGATIVE.

Dickinson

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The bill entitled "An act to alter the map or plan of the city of New York, by striking therefrom the proposed Avenue B, between sixty-eighth and seventy-ninth streets," having been announced for a third reading,

On motion of Mr. Gross, and by unanimous consent, said bill was amended as follows :

Section 1, line 3, after the word "street," insert the words "also all that part of the proposed avenue A, between One Hundredth street and One Hundred and Sixth street."

Line 9, same section, after the word "seven," insert the word "are."

Amend the title by adding at the end thereof the word "and the proposed avenue A, between One Hundred and One Hundred and Sixth street."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Robertson
Connelly	Johnson	Lord	Thompson
Dayton	Kellogg	Lowery	Wagner
Dickinson	King	Middleton	Wood
Dow	Laning	Ray	Woodin

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Kellogg moved that the Assembly bill entitled "An act for the preservation of fish in Salmon river and Deer creek, in Oswego county," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Gross moved that the bill entitled "An act to amend an act entitled 'An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church,' passed April 14, 1869," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Woodin, from a majority of the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York," reported in favor of the passage of the same (Messrs. Woodin and Dickinson dissenting), and said bill was committed to the committee of the whole.

Mr. Woodin moved that the Assembly bill entitled "An act to provide for the liquidation and payment of claims against the State of New York," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act for the preservation of fish in Salmon river and Deer creek, in Oswego county."

"An act to amend an act entitled 'An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church,' passed April 14, 1869."

Assembly, "An act to provide for the liquidation and payment of claims against the State of New York."

After some time spent therein the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Selkreg, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Selkreg, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Thompson, and by unanimous consent the Assembly bill entitled "An act to confirm the title of the Associate Congregation of Bovina to its real and personal estate," was ordered considered in the first committee of the whole.

Mr. Wood, from the committee on finance, to which was recommitted the bill entitled "An act in relation to the State prisons and penitentiaries of the State," reported in favor of the passage of the same, with amendments.

On motion of Mr. Wood, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative,

a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Selkreg
Bradley	Gross	McGowan	Thompson
Cole	Johnson	Middleton	Tobey
Connelly	Kellogg	Parmenter	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Ledwith	Robertson	Woodin
Dow	Lord		

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county."

Assembly, "An act to confirm the title of the Associate Congregation of Bovina to its real and personal estate."

"An act relating to the court of arbitration of the chamber of commerce of the State of New York, and to provide for the expenses thereof."

After some time spent therein the President resumed the chair, and Mr. Tobey, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Tobey, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows :

"An act to amend chapter 496 of the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions.'"

After some time spent therein the President resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and the same ordered to a third reading.

On motion of Mr. Laning, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The Senate again resolved itself into committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to confirm and legalize certain acts of the common council of the city of Elmira."

Assembly, "An act to authorize the city of Elmira to pay claims for damages in certain lands caused by the erection of an elevated bridge upon Washington avenue, in said city."

Assembly, "An act to authorize the formation of corporations for the safe keeping and guarantying of personal property."

. After some time spent therein the President resumed the chair, and Mr. McGowan, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGowan, from the same committee, reported progress on the second named bill, and asked leave to sit again.

Mr. Bradley moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McGowan, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Selkreg, and by unanimous consent, the Assembly bill entitled "An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,'" was ordered considered in the first committee of the whole.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to enable the town of Queensbury, in the county of Warren, to use certain moneys now in the hands of the supervisor of said town, for the construction of an iron bridge across the Hudson river, at Glens Falls in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the increase of the capital stock of the Staten Island Bridge Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. McGowan, from the committee on canals, to which was referred the Assembly bill entitled "An act in relation to the canals," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the following resolution :

Resolved (if the Senate concur), That the flags of the Eighteenth, Ninety-first, Ninety-third, and One Hundred and Thirty-fourth regiments of the New York Volunteers be and are hereby intrusted to the Ed. Forrest Post of the Grand Army of the Republic in the city of Schenectady to be used in the ceremonies of Decoration day, and upon the unveiling of the soldiers' monument in said city, on or about June 16, 1875.

On motion of Mr. Wagner, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly sent for concurrence the bills entitled as follows :

"An act to give validity to the act of the president of the board of trustees of 1874 of the village of Nelsonville, in the county of Putnam, in administering the oath of office to the trustees elected at the last annual election, and to confirm the official acts and proceedings of officers of preceeding boards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to protect the owners of bottles, boxes, baskets, casks and syphons, used in the sale of soda waters, mineral waters, porter, ale, cider, ginger ale, small beer, lager beer, white beer, or other similar beverages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

"An act to legalize the action of the electors of the town of Fort Covington, in the county of Franklin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the Inebriate's Home for Kings county, and to amend chapter 687 of the Laws of 1872, entitled 'An act to provide means for the support of the Inebriate's Home for Kings county, and the better government thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act providing for the appointment of marshals in the annexed district in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act supplementary to an act entitled 'An act to incorporate The Manhattan Loan and Trust Company, of the city of New York,' passed June 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the trustees of the village of Norwich, Chenango county, to buy real estate and erect a building thereon for the use of the fire department of said village, and for a village hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to give effect to a deed of assignment made by the Washington Iron Works to James Bigler," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorize the president and trustees of the village of West Troy, to raise by tax upon the taxable property within said village, such sum or sums as are necessary to meet and pay the outstanding indebtedness of said village," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend chapter 448 of the Laws of 1868, entitled 'An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its charter,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend chapter 548 of the Laws of 1869, entitled 'An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to legalize the resolution adopted at the last annual town meeting in the town of Olean, providing an appropriation by tax for the construction of a vault in the burial ground of that town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the American Popular Life Insurance Company of New York," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on insurance.

"An act to extend the time for the organization of the Central Trust Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend chapter 795 of the Laws of 1872, entitled 'An act authorizing the formation of a separate road district in the county of Essex,' which was read the first time, and by unanimous consent was also read the second time and referred to the committee on roads and bridges.

"An act providing for the more secure storage of oil in tanks or other receptacles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to provide for the removal of obstructions from the Delaware river and certain of its branches, and to make an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to release to George Wheeler the real estate of which Elizabeth Wheeler died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city,' passed April 26, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to authorize the city of Schenectady to purchase additional fire-engines, and to borrow money therefor," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 529 of the Laws of 1874, entitled 'An act to provide for the increased facilities of the fire department of the town of New Lots,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to provide for the purchase of a site and the erection of a school-house in school district No. 3 of the town of Flatbush, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at higher elevations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to authorize the erection of a free bridge across the outlet of Lake Saratoga, and the laying out, constructing and grading the avenues or approaches thereto, and the extinguishment of all rights, title and interest of the stockholders in the present toll bridge over said outlet near Moon's Lake House," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to open and extend Morrell street, in the city of Brooklyn, from Flushing avenue to Broadway, and to open and extend Lewis avenue in said city from Floyd street to Broadway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to change the commissioners for the construction of a bridge across the Hudson river, at or near the mouth of North creek, in Warren county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 21 of the Laws of 1855, entitled 'An act in relation to non-resident highway taxes upon certain lands in Essex county,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 321 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to authorize the board of trustees of the village of Athens, in the county of Greene, to permit gas-pipes to be laid in the streets of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act further to amend chapter 229 of the Laws of 1870, entitled 'An act to organize and establish a police for the city of Schenectady,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to confirm the proceedings of supervisors and justices of the peace of the several town in the county of Kings relating to town seal

ers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the city of Schenectady to raise money for school purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature,

"An act to repeal section 1 of title 6 of chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to amend chapter 385 of the Laws of 1871, entitled 'An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Newtown, Queens county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act in relation to the care, custody and management of the water-works of the city of Rochester, and to regulate the collection of water rents in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act authorizing the payment of certain employees of the Assembly for services," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act in relation to the Croton aqueduct of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act to extend the time for the collection of taxes in the county of Richmond."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto, respectively :

"An act to provide for the aid and support of the poor in the counties of Erie, Kings, and New York."

"An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836."

"An act for the relief of the New York and Yonkers Fire Insurance Company."

"An act to amend chapter 489 of the Laws of 1873, entitled 'An act to amend an act entitled An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854, and as amended by chapter 558 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga.'"

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the

National Guard of the State of New York, and for the public defense, and entitled the Military Code."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bill, with a message that they had agreed to the report of the committee of conference thereon:

"An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon, and extraordinary repairs of, the canals of this State,' passed May 9, 1874."

Ordered, That the Clerk return said bill to the Assembly.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins.'"

Assembly, "An act to legalize the official acts of John E. Ashe as notary public."

"An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York or Raritan bay, within the jurisdiction of the State of New York."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Bradley, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Jacobs moved that the committee of the whole be discharged from the further consideration of the last-named bill, and that the same be ordered engrossed for a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	King	McGowan	Tobey
Connelly	Laning	Middleton	Wagner
Jacobs	Lord	Robertson	Wood
Johnson	Lowery	Thompson	Woodin
Kellogg	Madden		

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FOR THE NEGATIVE.

Dow	Gross	Ledwith	Selkreg	4
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When the name of Mr. Dickinson was called, he asked to be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

When the name of Mr. Ledwith was called, he asked to be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Ledwith subsequently voted in the negative.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled 'An act to repeal an act entitled 'An act in

relation to the opening, widening and extending of streets, avenues and public places in the city of New York,' passed May 20, 1869," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to authorize appropriations for the poor adult blind in the city of New York, not provided for in public or private institutions," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act further to amend chapter 229, Laws of 1870, entitled 'An act to organize and establish a police for the city of Schenectady,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the city of Schenectady to purchase additional fire engines and to borrow money therefor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act authorizing the payment of certain employees of the Assembly for services," reported in favor of the passage of the same, with amendments, the title amended by adding the word "Senate," and said bill was committed to the committee of the whole.

On motion of Mr. Wood, and by unanimous consent, said bill was ordered to be considered in the first committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to authorize the trustees of the village of Norwich, Chenango county, to buy real estate and erect a building thereon for the use of the fire department of said village, and for a village hall," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Thompson, and by unanimous consent, said bill was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act authorizing the payment of certain employees of the Senate and Assembly for services."

"An act to authorize the trustees of the village of Norwich, Chenango county, to buy real estate and erect a building thereon for the use of the fire department of said village, and for a village hall."

"An act to confirm the title of certain lands situate in the city of Newburgh to the grantees and heirs at law of Francis Wilson (alien), late of said city, deceased."

After some time spent therein, the President resumed the chair, and Mr. Laning, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

On motion of Mr. Dow, the Senate adjourned.

FRIDAY, APRIL 30, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Messrs. Selkreg and Lowery presented remonstrances of citizens of Tioga, Broome, Tompkins and Oneida counties against reduction of tolls upon the canals; which were read and referred to the committee on canals.

Messrs. Cole, Kellogg and Dickinson, presented remonstrances of citizens of Orleans, Genesee, Oswego, St. Lawrence and Franklin counties, upon the same subject; which were read and referred to the committee on canals.

Messrs. Woodin and Wagner presented remonstrances of citizens of Cayuga and Saratoga counties upon the same subject; which were read and referred to the committee on the canals.

Mr. Johnson presented a remonstrance of Jason Smith of Seneca county, upon the same subject; which was read and referred to the committee on canals.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to elections in the city and county of New York, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat,' passed May 14, 1872," reported in favor of the passage of the same.

On motion of Mr. Gross, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act further to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties of this State,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Maria Allen the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts of Charles D. Barrows as notary public" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to George Wheeler the real estate of which Elizabeth Wheeler died seized," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the supervisors of the several towns in the county of Oswego to act as members of the board of assessors of their respective towns at their annual meetings to revise assessments and for hearing appeals from parties aggrieved," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate and change the name of the Associate Congregation of Bovina and to authorize said society to take and hold by gift, devise, purchase or otherwise, real and personal estate, and to sell their glebe," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York or Raritan bay, within the jurisdiction of the State of New York."

"An act to amend an act entitled 'An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church,' passed April 14, 1869."

"An act to confirm and legalize certain acts of the common council of the city of Elmira."

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to give validity to the act of the president of the board of trustees of 1874 of the village of Nelsonville, in the county of Putnam, in administering the oath of office to the trustees elected at the last annual election, and to confirm the official acts and proceedings of officers of preceding boards," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to authorize the board of trustees of the village of Athens, in the county of Greene, to permit gas-pipes to be laid in the streets of said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend chapter 448 of the Laws of 1868, entitled 'An act to incorporate the village of Gouverneur in the county of St. Lawrence, and to repeal its charter,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to authorize the president and trustees of the village of West Troy to raise by tax upon the taxable property within said village, such sum or sums as are necessary to meet and pay the outstanding indebtedness of said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend chapter 315, Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,' passed April 28, 1873," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Cole, from the committee on canals, to which was referred the bill entitled "An act to provide for letting work upon the canals," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on banks, to which was referred the Assembly bill entitled "An act relative to the International Trust Company of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on banks, to which was referred the Assembly bill entitled "An act to extend the time for the organization of the Central Trust Company of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wagner, from the committee on railroads, to which was referred the bill entitled "An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Buffalo to the grounds of the Buffalo Driving Park Association in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act in relation to the cleaning of the streets, avenues, lanes, alleys, places, wharves, piers and heads of slips in the city of New York, and the removal of ashes, garbage and rubbish and sweepings therefrom, and for the creation of a department to be known and entitled the "department of street cleaning of the city of New York," the head of which shall be known and entitled "the commissioner of street cleaning," who shall take charge of and perform said work, and to secure a more effectual state of cleanliness and a better sanitary condition of the streets of said city than has heretofore existed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act relating to the repavement of streets, avenues and highways in the city of New York, heretofore paved with wood or concrete," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act for the relief of Wheeler H. Bristol," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended and said bill was ordered to a third reading.

"An act to abandon the further use, by the people of the State of New York, of the buildings, lands and premises in the county of Albany, used as a public arsenal, and to convey said buildings, lands and premises to the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend chapter 490 of the Laws of 1874, entitled 'An act to amend chapter 504 of the Laws of 1873, entitled An act in relation to a certain highway in the county of Hamilton appropriating certain non-resident highway moneys thereto, and repealing acts heretofore

passed in relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act in relation to the Flushing High School in school district number five of the town of Flushing, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to prevent injury to animals in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 219 of the Laws of 1871, entitled 'An act to provide redress for words imputing unchastity to a female,' passed March 29, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to lands in the old military tract sold by the State Engineer and Surveyor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the county of Kings to purchase from the State of New York the State arsenal, in the city of Brooklyn, as an armory and to provide for the sale of the same by the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to provide for the payment for the use and occupation of armories and drill-rooms in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to further amend chapter 776 of the Laws of 1870, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to release to Josephine Robright the real estate of which Frederick Robright died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the city of Troy, passed May 3, 1870, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend section 118 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes, in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 798 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Catholic Association of the city of Buffalo, passed April 27, 1871,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act relating to armories in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 435, Laws of 1873, entitled 'An act to amend chapter 733, Laws of 1872, entitled An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act releasing the interest of the State in certain lands of which Mary Ann Thompson died possessed to Christopher G. Mason," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release the interest of the people of the State of New York in the real estate of which Patrick Lynch, late of the city of Rochester, died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the New York Cheap Transportation Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to the consolidation of certain railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' passed April 7, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend chapter 42 of the Laws of 1872, entitled 'An act to authorize the election of a police justice in and for the village of Flushing, Queens county, and to prescribe his duties and compensation, and regulating charges in criminal proceedings in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the Chautauqua Lake Camp Meeting Association of the Erie Conference of the Methodist Episcopal Church,"

which was read the first time and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to appoint commissioners to erect a city hall in and for Long Island City, and to provide for the expenses of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to amend an act entitled 'An act to widen and improve a portion of Washington avenue, in the city of Brooklyn, and extend the same into the town of Flatbush,' passed April 23, 1870."

"An act for the support and maintenance of prisoners confined upon civil process."

"An act to prohibit the throwing of cinders, ashes, refuse or garbage into the waters of Long Island sound, and into the bays and harbors opening into the same."

"An act authorizing the adjudication and settlement of certain claims arising out of the defalcations of the late treasurer of Columbia county with this State and the said county."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bill, with a message that they had agreed to the report of the committee of conference thereon:

"An act creating the office of Inspector of Public Works."

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act to regulate investments by insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Jacobs asked and obtained leave to introduce a bill entitled "An act in relation to the inspection, care and management of roads, streets and avenues in the towns in Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act authorizing and empowering the commissioners of the sinking fund of the city of New York to assign to the board of education certain property to be used for school purposes," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

The Assembly bill entitled "An act to confirm the title of certain lands situate in the city of Newburgh to the grantees and heirs at law of Francis Wilson (alien), late of said city, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Gross	Ledwith	Selkreg
Cole	Jacobs	Lord	Wagner
Connelly	Johnson	Lowery	Wood
Dayton	Kellogg	Middleton	Woodin
Dickinson	King	Parmenter	

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to confirm and legalize certain acts of the common council of the city of Elmira," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Thompson
Bradley	Fox	Lowery	Tobey
Cole	Gross	Middleton	Wagner
Connelly	Jacobs	Parmenter	Wood
Dayton	Laning	Robertson	Woodin
Dickinson	Ledwith	Selkreg	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church,' passed April 14, 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Selkreg
Bradley	Dow	Lowery	Thompson
Cole	Gross	Moore	Wagner
Connelly	Johnson	Parmenter	Woodin
Dayton	King	Robertson	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the city of Elmira to pay claims for damages to certain lands caused by the erection of an elevated bridge upon Washington avenue, in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Ray
Bradley	Gross	Lord	Robertson
Connelly	Johnson	Lowery	Selkreg
Dayton	King	Moore	Thompson
Dow	Laning	Parmenter	Wagner

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to legalize the official acts of John E. Ashe as notary public," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lowery	Selkreg
Bradley	Gross	Moore	Thompson
Cole	King	Parmenter	Wagner
Connelly	Laning	Ray	Wood
Dayton	Lord	Robertson	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Selkreg
Bradley	Gross	Moore	Thompson
Cole	King	Parmenter	Wagner
Connelly	Laning	Ray	Wood
Dayton	Ledwith	Robertson	Woodin
Dickinson	Lord		
			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the trustees of the village of Norwich, Chenango county, to buy real estate and erect a building thereon for the use of the fire department of said village, and for a village hall," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Selkreg
Bradley	King	Moore	Thompson
Cole	Laning	Parmenter	Wagner
Connelly	Ledwith	Ray	Wood
Dayton	Lord	Robertson	Woodin
Dickinson			
			21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act authorizing the payment of certain employees of the Senate and Assembly for services," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Thompson
Connelly	Jacobs	Parmenter	Tobey
Dayton	Kellogg	Ray	Wagner
Dickinson	King	Robertson	Wood
Fox	Laning	Selkreg	Woodin

20

FOR THE NEGATIVE.

Dow	Johnson	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Connelly, from the committee on charitable and religious societies to which was referred the Assembly bill entitled "An act to consolidate the Albany City Dispensary with the Albany City Homeopathic Hospital," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the following resolution:

Resolved, That a respectful message be sent to the honorable the Senate requesting the return of Assembly bill No. 575, entitled "An act to authorize the erection of a free bridge across the outlet of Lake Saratoga, and the laying out, constructing and grading the avenues or approaches thereto, and extinguishment of all rights, title and interest of the stockholders in the present toll-bridge over said outlet, near Moon's Lake House, for amendment.

Mr. Kellogg moved that the committee on roads and bridges be discharged from the further consideration of said bill, and that the same be returned to the Assembly, as requested.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly.

Mr. Wood moved to take from the table the report of the committee of conference upon the matters in difference between the two Houses relative to the bill entitled "An act to conform the charters of all savings banks or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin moved that the Senate agree to said report, except as to the words "as such," in line 2, section 21, of printed report, and to so much of said report as is contained in section 35.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Cole	Johnson	Madden	Thompson
Connelly	Kellogg	McGowan	Tobey
Dickinson	King	Middleton	Wagner
Dow	Ledwith	Parmenter	Wood
Fox	Lord	Ray	Woodin

24

FOR THE NEGATIVE.

Bradley	Dayton	Selkreg
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3

Mr. Woodin moved that the Senate agree to that portion of the report excepted by the foregoing motion.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Thompson
Cole	Johnson	Middleton	Tobey
Connelly	King	Parmenter	Wagner
Dickinson	Lord	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Fox			

21

FOR THE NEGATIVE.

Bradley	Ledwith	Madden	Ray
Dayton			

5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Robertson moved that the Assembly bill entitled "An act to give validity to the act of the president of the board of trustees of 1874 of the village of Nelsonville, in the county of Putnam, in administering the oath of office to the trustees elected at the last annual election, and to confirm the official acts and proceedings of officers of preceding boards," be recommitted to the committee on the affairs of villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson moved that the Assembly bill entitled "An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized to Angeline Post, Elizabeth Huber, Schuyler Lamont, and Charles Lamont, heirs at law of said Robert A. Lamont, deceased," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Assembly returned the concurrent resolution relative to printing 1,500 copies of the Report of the Institution for the Improved Instruction of Deaf Mutes, with a message that they had concurred in the amendment of the Senate thereto.

Ordered, That the Clerk return said resolution to the Assembly.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act relating to the court of arbitration of the chamber of commerce of the State of New York, and to provide for the expenses thereof."

Assembly, "An act releasing the interest of the State of New York

in certain lands, of which Robert A. Lamont died seized, to Angeline Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs at law of said Robert A. Lamont, deceased."

Assembly, "An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

After some time spent therein, the President resumed the chair, and Mr. Gross, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Gross, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Gross, from said committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Johnson moved that said bill be recommitted to the committee on internal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and also to amend chapter 385 of the Laws of 1855, entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lowery moved that the Assembly bill entitled "An act to authorize the formation of corporations for the safe-keeping and guarantying of personal property," be recommitted to the committee on banks.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Laning offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting the return to the Senate of Senate bill No. 99, entitled "An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872," for amendment.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

On motion of Mr. Fox the Senate went into executive session; and, after some time spent therein, the doors were opened and legislative business resumed.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act authorizing the payment of certain employees of the Senate and Assembly for services."

Ordered, That said bill be returned to the Assembly.

Mr. Ledwith moved that when the Senate adjourns to-day, it adjourn to meet on Monday evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Coe	Laning	Lord	Parmenter
Dayton	Ledwith	Moore	Ray

FOR THE NEGATIVE.

Bradley	Fox	Lowery	Thompson
Cole	Gross	Madden	Wagner
Connelly	Johnson	Robertson	Wood
Dow	King	Selkreg	Woodin 16

On motion of Mr. Ledwith, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act in relation to the Chautauqua Lake Camp Meeting Association of the Erie Conference of the Methodist Episcopal Church," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Wagner, and by unanimous consent, the Assembly bill entitled "An act to authorize the city of Schenectady to purchase fire-engines, and to borrow money therefor," was ordered considered in the first committee of the whole.

The Assembly returned the Assembly bill entitled "An act to provide for the appointment of a commission to investigate, consider and report upon the disposition to be made of the lateral canals," with a message that they had non-concurred in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee on their part, Messrs. Page, Cole, Davis, Alvord and Lillibridge.

Mr. Woodin moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee, Messrs Woodin Cole and Johnson.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That the Legislature do concur in the recommendation of the Canal Board to the reduction of canal tolls to the extent named in their schedule, transmitted to the Assembly of this State by the Auditor of the Canal Department on the 19th day of March last. And that the Legislature recommend and consent to a reduction of tolls on timber in the same ratio as on lumber.

Ordered, That said resolution be laid upon the table.

The Assembly sent for concurrence the bills entitled as follows :

"An act authorizing the appointment of Centennial Commissioners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend the charter of the American Institute of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, amended April 25, 1871, amended January 12, 1872, amended May 22, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act authorizing the taxation of stockholders of life, fire and marine insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 6, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act for the better security of railroad employees," for labor performed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize and require the New York Elevated Railroad Company to continue and complete its railroad in the city of New York, and to regulate the construction, operation and management thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to except a railroad proposed to be constructed in the towns of New Utrecht, Gravesend and Flatlands, from the provisions of an act to regulate the construction and protection of railway crossings in the county of Kings, passed April 19, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to enlarge the jail limits of the county of Yates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to legalize the official acts of Milo S. Day, a justice of the peace of the town of Harford, Cortland county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the continuance of suits or actions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the Port road in the city of Brooklyn," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to provide for assessing and collecting the cost of lands taken for Prospect park, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend an act entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend section 15 of article 1 of chapter 3 of part 1 of the Revised Statutes, relative to the paying over of moneys by the collectors of taxes in the several towns of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 546 of the Laws of 1872, entitled 'An act to incorporate the Mechanicville Bridge Company for the purpose of constructing a bridge over the Hudson river, between the village of Mechanicville and the town of Schaghticoke,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 54 of the Laws of 1871, entitled 'An act to amend the charter of the village of Warsaw, and to authorize said village to raise money to procure water, and to protect said village and the property therein against loss by fire,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act providing for the disposition of excise moneys in the several towns of Orange county, except the city and town of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend article 3 of title 3 of chapter 6 of part 2 of the Revised Statutes relating to the distribution of the personal property of persons dying intestate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the improvement of portions of Commercial street and Union place in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to legalize the acts of the several boards of health in the towns of Kings county and in the towns of Newtown, Flushing and Jamaica, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the common council of the city of New York to reopen a part of Bloomingdale road, or Broadway, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to further amend chapter 138 of the Laws of 1858, entitled 'An act to authorize the improving and keeping in repair a certain highway in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same

in repair,' passed March 24, 1857; passed April 12, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 610 of Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend the charter of the city of Buffalo,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act further to amend chapter 229, Laws of 1870, entitled 'An act to organize and establish a police for the city of Schenectady,'" was ordered considered in the first committee of the whole.

On motion of Mr. Tobey, and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the village of Port Henry to borrow money on its corporation notes or bonds to purchase a steam fire-engine and necessary fire apparatus for the use of said village, and to levy and collect a tax for the payment of the same," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to authorize the city of Schenectady to purchase additional fire-engines and to borrow money therefor."

Assembly, "An act further to amend chapter 229, Laws of 1870, entitled 'An act to organize and establish a police for the city of Schenectady.'"

"An act to authorize the village of Port Henry to borrow money on its corporation notes or bonds to purchase a steam fire-engine and necessary fire apparatus for the use of said village, and to levy and collect a tax for the payment of the same."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Dow, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871, so as to exempt Chautauqua lake from certain provisions of said act," was ordered considered in the first committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act relating to the consolidation of certain railroad companies," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Bradley, and by unanimous consent the rules were

suspended and said bill was ordered considered in the first committee of the whole.

On motion of Mr. Wood, and by unanimous consent, the rules were suspended, and the bill entitled "An act to enable incorporated parishes of the Protestant Episcopal denomination, in the diocese of Central New York, to make certain transfers of their real and personal estate," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' so as to exempt Chautauqua lake from certain provisions of said act."

Assembly, "An act relating to the consolidation of certain railroad companies."

"An act to enable incorporated parishes of the Protestant Episcopal denomination in the diocese of Central New York to make certain transfers of their real and personal estate."

After some time spent therein the President resumed the chair, and Mr. Fox, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Fox, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the bill entitled "An act to empower and authorize the commissioners of highways in this State to lay out a plan of avenues, streets and roads, fix a grade for, open and improve avenues, streets, roads and sidewalks, and provide for the lighting of the same in the various towns in this State," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to empower and authorize the commissioners of highways in the county of Kings to lay out a plan of avenues, streets and roads, fix a grade for, open and improve avenues, streets, roads and sidewalks, and provide for the lighting of the same in the towns in the county of Kings," and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act to extend the boundaries of the city of Utica, westerly," having been announced for a third reading,

On motion of Mr. Lowery, and by unanimous consent, said bill was amended by striking out the second section of the bill.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Thompson
Connelly	Johnson	Parmenter	Tobey
Dayton	Kellogg	Ray	Wagner
Dickinson	King	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Fox			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Thompson
Connelly	Johnson	Parmenter	Tobey
Dayton	Kellogg	Ray	Wagner
Dickinson	King	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Fox			

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act for the preservation of fish in Salmon and Deer creek, in Oswego county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Thompson
Connelly	Jacobs	Madden	Tobey
Dayton	Johnson	Parmenter	Wagner
Dickinson	Kellogg	Robertson	Wood
Dow	King	Selkreg	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to confirm the title of the Associate Congregation of Bovina to its real and personal estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Thompson
Connelly	Jacobs	Madden	Tobey
Dayton	Johnson	Parmenter	Wagner
Dickinson	Kellogg	Robertson	Wood
Dow	King	Selkreg	Woodin

20

Ordered, That the Clerk returnsaid bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

[On motion of Mr. Dow, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act in relation to the Chautauqua Lake Camp-Meeting Association of the Erie Conference of the Methodist Episcopal Church," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony."

"An act in relation to the Chautauqua Lake Camp-Meeting Association of the Erie Conference of the Methodist Episcopal Church."

"An act to authorize the town auditors of the towns of Southfield and Middletown, Richmond county, to audit certain claims."

After some time spent therein, the President resumed the chair, and Mr. Madden, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend chapter 548 of the Laws of 1869, entitled 'An act to authorize the construction and maintaining of a free bridge over Chemung river, in the town of Chemung, in the county of Chemung,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to change the commissioners for the construction of a bridge across the Hudson river at or near the mouth of North creek, in Monroe county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend chapter 795 of the Laws of 1872, entitled 'An act authorizing the formation of a separate road district in the county of Essex,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide for the payment of jurors in protracted trials."

Assembly, "An act to amend the Code of Procedure."

Assembly, "An act entitled an act to enable the town of Queensbury, in the county of Warren, to use certain moneys now in the hands of the supervisor of said town for the construction of an iron bridge across the Hudson river at Glen's Falls, in said town."

After some time spent therein the President resumed the chair, and Mr. King, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. King, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. King, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Tobey moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Bradley, the Senate adjourned.

SATURDAY, MAY 1, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The President presented resolutions of the common council of the city of New York respecting Senate bills Nos. 214, 215, 216, 217, 219 and 221, all relating to the local government of said city; which were laid upon the table and ordered printed.

(See Doc. No. 87.)

Also, a petition of 129 citizens of Montgomery county in favor of the reduction of tolls on the canals; which was read and referred to the committee on canals.

Mr. Wood presented petitions upon the same subject; which were read and referred to the committee on canals.

Messrs. Johnson, Dow, Wagner, Madden and Selkreg presented remonstrances of citizens of Ontario, Chautauqua, Saratoga, Orange, Tioga and Tompkins counties against a reduction of tolls upon the canals; which were read and referred to the committee on canals.

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act in relation to the United States Deposit Fund," reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to amend chapter 490 of the Laws of 1874, entitled 'An act to amend chapter 504 of the Laws of 1873, entitled An act in relation to a certain highway in the county of Hamilton, appropriating certain non-resident highway moneys thereto, and repealing acts heretofore passed in relation thereto,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act appropriating certain moneys to reimburse the county of Albany for expenses incurred in the trial of Charles H. Phelps," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 488 of the Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,'" reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the court of

oyer and terminer and court of sessions of the county of Kings to sentence prisoners convicted in said courts of any offense to the penitentiary of said county for any term for which they might be sentenced to a State prison," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to give effect to a deed of assignment made by the Washington Iron Works to James Bigler," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the resolution adopted at the last annual town meeting, in the town of Olean, providing an appropriation by tax for the construction of a vault in the burial ground of that town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 118 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York in the real estate of which Patrick Lynch, late of the city of Rochester, died seized," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 729 of the Laws of 1871, entitled 'An act authorizing the board of supervisors of the county of Essex to levy and assess certain taxes on certain lands in the town of Minerva, in said county,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Josephine Robright the real estate of which Frederick Robright died seized," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act further to amend chapter 167 of the Laws of 1860, entitled 'An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to release the title and interest of the people of the State of New York in and to certain real estate in the county of Orleans to the heirs of William Baker," reported adversely thereto, which report was agreed to, and said bill rejected.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act in relation to the alms-house and insane asylum in the city of Albany, and the sale and purchase of real property in connection therewith," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to release the interest of the people of the State of New York in certain real estate of which William Grant, late of the town of Arcadia, in the county of Wayne, died seized, and authorizing his heirs at law to hold and convey the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the village of Port Henry to borrow money on its corporation notes or bonds to purchase a steam fire-engine and necessary fire apparatus for the use of said village, and to levy and collect a tax for the payment of the same."

"An act to enable incorporated parishes of the Protestant Episcopal Denomination in the Diocese of Central New York to make certain transfers of their real and personal estate."

"An act to amend the Code of Procedure."

"An act to amend an act entitled 'An act in relation to elections in the city and county of New York, and to provide for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage thereat,' passed May 14, 1872."

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to prevent abuses in town and county charges in criminal cases in the county of Oneida," reported adversely thereto, which report was agreed to, and said bill rejected.

By unanimous consent, Mr. Wood asked and obtained leave to introduce a bill entitled "An act in relation to the poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Wood moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin moved that the Assembly bill entitled "An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities," be recommitted to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860."

"An act to amend an act entitled 'An act for the incorporation of the trustees of the Parochial Fund of the Protestant Episcopal Church in the Diocese of Western New York,' passed March 26, 1863."

"An act to amend section 3 of title 4 of chapter 8 of part 3 of the Revised Statutes."

After some time spent therein, the President resumed the chair, and Mr. Selkreg, from the said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Selkreg, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to provide for a public park in the city of Lockport."

"An act to amend an act entitled 'An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and establishment thereof.'"

"An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving, and embellishing the public park in said city, and the approaches thereto, and providing for the payment of such bonds and the expenditure of such money."

After some time spent therein, the President resumed the chair, and Mr. Jacobs, from said committee, reported in favor of the passage of said bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend section 1 of chapter 693 of the Laws of 1878, so as to include the waters of Findley's lake in the county of Chautauqua."

Assembly, "An act to amend chapter 661 of the Laws of 1878, entitled 'An act to provide for the support and care of State paupers.'"

"An act to confirm, reduce, and levy a certain assessment for improving Morton street in the city of Albany."

After some time spent therein the President resumed the chair, and Mr. Cole, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Cole, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

Mr. Johnson moved that the second named bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dayton moved that the last named bill be recommitted to the committee on the affairs of cities retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to authorize the president and trustees of the village of West Troy to raise by tax upon the taxable property within said village such sum or sums as are necessary to meet and pay the outstanding indebtedness of said village."

"An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital."

"An act to authorize the increase of the capital stock of the Staten Island Bridge Company."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Madden moved that when the Senate adjourns to-day it adjourn to meet on Monday evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to legalize the acts of Charles D. Barrows as notary public."

"An act to release to George Wheeler the real estate of which Elizabeth Wheeler died seized."

"An act to authorize the board of trustees of the village of Athens, in the county of Greene, to permit gas-pipes to be laid in the streets of said village."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to release to Maria Allen the right, title, and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn."

"An act to change the commissioners for the construction of a bridge across the Hudson river, at or near the mouth of North creek, in Warren county."

"An act to amend chapter 548 of the Laws of 1869, entitled 'An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung.'"

After some time spent therein the President resumed the chair, and Mr. Lord, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Lord, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures.'"

"An act to amend chapter 795 of the Laws of 1872, entitled 'An act authorizing the formation of a separate road district in the county of Essex.'"

"An act to amend chapter 729 of the Laws of 1871, entitled 'An act authorizing the board of supervisors of the county of Essex to levy and

assess certain taxes on certain lands in the town of Minerva, in said county."

After some time spent therein, the President resumed the chair, and Mr. Selkreg, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Selkreg, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act in relation to parsonages in certain cases."

"An act to release to Josephine Robright the real estate of which Frederick Robright died seized."

"An act to amend chapter 490 of the Laws of 1874, entitled 'An act to amend chapter 504 of the Laws of 1873, entitled An act in relation to a certain highway in the county of Hamilton appropriating certain non-resident highway moneys thereto, and repealing acts heretofore passed in relation thereto.'"

After some time spent therein the President resumed the chair, and Mr. King, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 821 of the Laws of 1873, entitled 'An act to amend an act entitled An act to amend an act entitled An act for the benefit of married women in insuring the lives of their husbands,' passed April 14, 1858, passed April 18, 1870."

"An act to amend an act entitled 'An act to incorporate the Masonic Hall Association of the village of Hornellsville,' passed April 27, 1869."

"An act to amend an act entitled 'An act to revise, amend and consolidate the several acts in relation to the charter of the city of Hudson,' passed May 1, 1872."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to legalize the proceedings of a town meeting held at the town house, in the town of Watervliet, on the 13th day of April, 1875."

"An act further to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in this State.'"

Assembly, "An act to release the interest of the people of the State of New York in the real estate of which Patrick Lynch, late of the city of Rochester, died seized."

After some time spent therein, the President resumed the chair, and Mr. Connelly, from the said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Connelly, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to give effect to a deed of assignment made by the Washington Iron Works to James Bigler."

"An act to legalize the resolution adopted at the last annual town meeting in the town of Olean providing an appropriation by tax for the construction of a vault in the burial ground of that town."

"An act to amend section 118 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes, in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses."

After some time spent therein the President resumed the chair, and Mr. Thompson, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows :

"An act to authorize the court of oyer and terminer and court of sessions of the county of Kings to sentence prisoners convicted in said courts of any offense to the penitentiary of said county for any term for which they might be sentenced to a State prison."

After some time spent therein the President resumed the chair, and Mr. Fox, from said committee, reported in favor of the passage of said named bill, which report was agreed to, and the same ordered to a third reading.

On motion of Mr. Fox, the Senate adjourned.

MONDAY, MAY 3, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Saturday, May 1, was read and approved.

The President presented a petition for the passage of Senate bill No. 59 relating to the court of arbitration of the port of New York ; which was read and committed to the committee of the whole.

Messrs. Wood and Ray presented remonstrances of citizens of Onondaga and Dutchess counties against any reduction of tolls on the canals ; which were read and referred to the committee on canals.

The Assembly returned the concurrent resolution requesting the Governor to return to the Senate the Senate bill No. 99, entitled "An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872," with a message that they had concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Assembly returned the following entitled Assembly bill, with a message that they had agreed to the report of the committee of conference thereon :

"An act to provide for the support of government."

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent, Mr. Kellogg asked and obtained leave to introduce a bill entitled "An act to amend chapter 97 of the Laws of 1875, entitled 'An act providing for the forfeiture of property in certain cases,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Kellogg, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

By unanimous consent, Mr. King asked and obtained leave to introduce a bill entitled "An act to authorize the religious society in the city of New York, known as Temple Beth-El, to buy, hold, and dispose of land for cemetery purposes," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. King, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Kellogg moved to take from the table the following resolution :

Resolved (if the Senate concur), That the Legislature do concur in the recommendation of the Canal Board to the reduction of canal tolls to the extent named in their schedule transmitted to the Assembly of this State by the Auditor of the Canal Department on the 19th day of March last, and that the Legislature recommend and consent to a reduction of tolls on timber in the same ratio as on lumber.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Kellogg moved that said resolution be referred to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lowery moved that the Assembly bill entitled "An act to incorporate The Protectorate and Reformatory for Destitute Children from Oneida and adjacent counties," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

By unanimous consent, Mr. Wood asked and obtained leave to introduce a bill entitled "An act to authorize the discontinuance of proceedings for taking property for public use in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Wood asked and obtained leave to introduce a bill entitled "An act to prohibit the assessment of property owned by the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ray moved that the Assembly bill entitled "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof," be considered in the first committee of the whole not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to incorporate the Protectorate and Reformatory for Destitute Children from Oneida and adjacent counties."

"An act to amend chapter 661 of the Laws of 1873, entitled 'An act to provide for the support and care of State paupers.'"

"An act to legalize the action of the village of Whitehall in acquiring title to certain lands, and erecting a building thereon, and authorizing the issuing of bonds of said village for the payment of the debt incurred in such erection."

After some time spent therein the President resumed the chair, and Mr. Laning, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend chapter 546 of the Laws of 1872, entitled 'An act to incorporate the Mechanicsville Bridge Company for the purpose of constructing a bridge over the Hudson river, between the village of Mechanicsville and the town of Schaghticoke,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act providing for the appointment of trustees of the estates of persons absenting themselves from their domiciles in this State and remaining unheard of or suddenly disappearing."

Assembly, "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof."

Assembly, "An act to authorize the common council of the city of Buffalo to order to be assessed and to cause to be raised by local assessment, the amount of the expenses incurred in rebuilding the westerly end of the sewer in Breckenridge street in said city, upon and from the lands benefited thereby."

After some time spent therein, the President resumed the chair, and Mr. Booth, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Booth, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to confer power on the judges of the superior court of Buffalo to make orders in actions pending in the supreme court," was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Laning, and by unanimous consent, said bill was ordered considered in the first committee of the whole.

By unanimous consent, Mr. Moore asked and obtained leave to introduce a bill entitled "An act to amend chapter 836 of the Laws of 1872,

entitled 'An act to regulate places of public amusement in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

On motion of Mr. King, and by unanimous consent, the bill entitled "An act to authorize the religious society in the city of New York, known as the Temple Beth-El, to buy, hold, and dispose of land for cemetery purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Johnson	Lowery	Selkreg
Bradley	Kellogg	McGowan	Tobey
Dayton	King	Parmenter	Wood
Dow	Laning	Ray	Woodin
Gross	Lord	Robertson	

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to confer power on the judges of the superior court of Buffalo to make orders in actions pending in the supreme court."

"An act relative to taxation and appropriations in the city of New York."

"An act to fix the rates of fare to be charged upon the New York Central and Hudson River railroad for transporting passengers from the depot, at Buffalo, to the grounds of the Buffalo Driving Park Association, in said city."

After some time spent therein the President resumed the chair, and Mr. Dayton, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the board of assessors in the city of New York to revise and correct the assessments for the outlet sewer in Eightieth street and other streets in said city."

"An act to repeal an act entitled 'An act in relation to the opening, widening, and extending of streets, avenues and public places in the city of New York,' passed May 20, 1869."

"An act in relation to cleaning the streets of the city of New York."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Dow, the Senate adjourned.

TUESDAY, MAY 4, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Messrs. Dickinson, Cole, and Thompson presented remonstrances of citizens of St. Lawrence, Orleans, Genesee, and Chenango counties against the reduction of tolls upon the canals; which were read and referred to the committee on canals.

Messrs. Woodin, McGowan, and Connelly presented remonstrances of citizens of Cayuga, Herkimer, Otsego, and Greene upon the same subject; which were read and referred to the committee on canals.

Messrs. Dow and Madden presented remonstrances of citizens of Chautauqua, Sullivan, and Orange counties upon the same subject; which were read and referred to the committee on canals.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to amend an act entitled 'An act to incorporate the Evangelical Lutheran Synod of the State of New York,' passed April 29, 1868."

"An act to legalize the acts of Ensworth D. Babcock as notary public."

"An act to change the name of the village of Potsdam Junction, in the town of Potsdam, in the county of St. Lawrence, to Norwood."

"An act to facilitate the distribution of the property and effects of the Eclectic Life Insurance Company."

"An act to authorize the religious society in the city of New York, known as the Temple Beth-El, to buy, hold, and dispose of land for cemetery purposes."

"An act to amend chapter 97 of the Laws of 1875, entitled 'An act providing for the forfeiture of property in certain cases.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence the bills entitled as follows:

"An act to further amend chapter 541 of the Laws of 1865, entitled 'An act to incorporate the city of Newburgh,' also to amend chapter 551 of the Laws of 1872, entitled 'An act to amend an act entitled An act to incorporate the city of Newburgh,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 825 of the Laws of 1873, entitled 'An act to authorize the laying of rails and to run cars thereon for the transportation of passengers in certain streets and avenues in the upper part of the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend chapter 253 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,' which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend chapter 47 of the Laws of 1826, entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act for the incorporation of library societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act confirming the title of the trustees of school district number three, in the town of Amherst, in the county of Erie, to the lands and property of the Williamsville Academy, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the reduction of the capital stock of 'The New York Loan and Indemnity Company' in the city of New York, and to change its corporate name," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act to incorporate the New York City Sunday School (church extension) and Missionary Society of the Methodist Episcopal Church,' passed April 14, 1866, amended March 14, 1871, again amended May 13, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act in relation to the estate of the infant children and heirs at law of Martha West Yale, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of James Luther McCoy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *April 30, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act for the preservation of fish in the waters of Oak Orchard creek, in the counties of Genesee and Orleans."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Bordwell, and by unanimous consent, the same was amended as follows :

Add, at the end of the title, the words "and all streams, lakes, ponds or other waters in the county of Orleans."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Thompson
Connelly	Jacobs	Ray	Wagner
Dayton	King	Robertson	Wood
Dickinson	Ledwith	Selkreg	Woodin
Dow			

17

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Thompson
Connelly	Johnson	Madden	Wagner
Dayton	King	Ray	Wood
Dickinson	Ledwith	Robertson	Woodin
Dow	Lord	Selkreg	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *April 30, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Prince, and by unanimous consent, the same was amended so as to read as follows :

Amend the title so as to read as follows :

"An act further to amend chapter 692 of the Laws of 1866, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes.' "

Amend section 1 so as to read as follows :

"Section 1. Section 8 of chapter 692 of the Laws of 1866, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes, is hereby amended so as to read as follows.' "

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Selkreg
Connelly	Johnson	Lowery	Thompson
Dayton	Kellogg	Madden	Wagner
Dickinson	King	Ray	Wood
Dow	Ledwith	Robertson	Woodin
Gross			

21

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Selkreg
Connelly	Jacobs	Lord	Thompson
Dayton	Johnson	Lowery	Wagner
Dickinson	Kellogg	Madden	Wood
Dow	King	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly returned the bill entitled "An act for the incorporation of societies or clubs for certain lawful purposes," with a message that they had concurred in the passage of the same, with the following amendment:

Add, at the end of section 8, page 7, engrossed bill, the following:

"Provided said debts are payable one year from the time they shall have been contracted, and provided a suit for the collection of the same shall be brought within one year after the debt shall become due and payable."

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	King	Selkreg
Connelly	Gross	Ledwith	Thompson
Dayton	Jacobs	Lord	Wagner
Dickinson	Johnson	Madden	Wood
Dow	Kellogg	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 9, engrossed bill, strike out the words "persons comprising," and insert in lieu thereof the words "shares of the capital stock of."

Line 10, same section, strike out the words "of persons."

Line 13, strike out the word "given," and insert in lieu thereof the words "of the intention so to be published."

Line 14, insert, after the word "newspaper," the words "of general circulation."

Line 15, insert, after the word "where," the words "the principal office of."

Line 17, before the word "three," insert the words "shareholders and owning."

Same line and line 18, strike out the words "the stockholders for them to," and insert in lieu thereof the words "the then capital stock."

Line 21, strike out the word "recorded, and insert in lieu thereof the word "filed."

Line 26, after the word "contain," insert the words "a statement of and provision to."

Line 28, strike out the word "telegraph," and insert in lieu thereof the word "association."

Same line, after the word "the," insert the words "route or routes and the."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Thompson
Coe	Gross	Madden	Wagner
Cole	Jacobs	Robertson	Wood
Connelly	Kellogg	Selkreg	Woodin
Dayton	King		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, as follows:

IN ASSEMBLY, April 30, 1875.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 26 of the Laws of 1874, entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith for the use of the Methodist Episcopal Church.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Pope, and by unanimous consent, the same was amended as follows:

Section 2, page 3, strike out all after the word "amount," in line 7, and insert the following:

"Whenever any camp-ground association shall own land on any of the navigable waters of the State of New York, to be used for camp-ground purposes only, the said association shall have authority to regulate the landing of any person or vessel on said wharves, piers or shore during the holding of religious services, and may also regulate or prohibit the use of said wharves and piers or shore during said services by any person or vessel."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk*.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Selkreg
Coe	Jacobs	Lowery	Thompson
Cole	Kellogg	Madden	Wagner
Connelly	King	Ray	Wood
Dayton	Ledwith	Robertson	Woodin
Dickinson			

21

The President then put the question whether the Senate would agree to the final passage of said bill, as amended and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Selkreg
Coe	Jacobs	Lowery	Thompson
Cole	Kellogg	Madden	Wagner
Connelly	King	Ray	Wood
Dayton	Ledwith	Robertson	Woodin
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *April 30, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend and supplementary to chapter 362 of the Laws of 1872, entitled 'An act to incorporate the Mutual Trust Institution of New York.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. T. C. Campbell, and by unanimous consent, the same was amended as follows :

Section 1, line 3, engrossed bill, strike out the words "of two-thirds."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Tobey
Coe	Jacobs	Madden	Wagner
Cole	Kellogg	Robertson	Wood
Connelly	King	Selkreg	Woodin
Dayton	Ledwith	Thompson	

19

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Thompson
Ooe	Jacobs	Madden	Tobey
Cole	Johnson	Ray	Wagner
Connelly	Kellogg	Robertson	Wood
Dayton	Ledwith	Selkreg	Woodin
Dickinson	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to regulate proceedings against corporations by injunctions and otherwise,' passed April 7, 1870," with a message that they had non-concurred in the passage thereof.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the Sisterhood of Grey Nuns in the State of New York,' passed April 6, 1871," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, line 1, strike out the words "the act," and insert in lieu thereof the words "chapter 324 of the Laws of 1871."

Amend the title by inserting, after the word "amend," first occurring, the words "chapter 324 of the Laws of 1871, entitled," and strike out all after the words "New York."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lord	Thompson
Cole	Jacobs	Lowery	Tobey
Connelly	Johnson	Madden	Wagner
Dayton	Kellogg	Ray	Wood
Dickinson	King	Robertson	Woodin
Dow	Ledwith	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend chapter 821 of the Laws of 1873, entitled 'An act to amend an act entitled An act to amend an act entitled An act for the benefit of married women in insuring the lives of their husbands,' passed April 14, 1858, passed April 18, 1870."

"An act to amend 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860."

"An act to amend an act entitled 'An act to revise, amend, and con-

solidate the several acts in relation to the charter of the city of Hudson,' passed May 1, 1872."

"An act to legalize the proceedings of a town meeting held at the town house in the town of Watervliet, on the 13th day of April, 1875."

"An act to amend an act entitled 'An act to incorporate the Masonic Hall Association of the village of Hornellsville,' passed April 27, 1869."

"An act to amend an act entitled 'An act for the incorporation of the trustees of the Parochial Fund of the Protestant Episcopal Church in the Diocese of Western New York,' passed March 28, 1863."

"An act further to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in this State.'"

"An act to amend section 3 of title four of chapter 8 of part 3 of the Revised Statutes."

"An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof."

"An act providing for the appointment of trustees of the estates of persons absenting themselves from their domiciles in this State and remaining unheard of or suddenly disappearing."

"An act to confer power on the judges of the superior court of Buffalo to make orders in actions pending in the supreme court."

"An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Buffalo to the grounds of the Buffalo Driving Park Association, in said city."

"An act relative to taxation and appropriations in the city of New York."

"An act to authorize the board of assessors in the city of New York to revise and correct the assessments for the outlet sewer in Eightieth street and other streets in said city."

"An act to repeal an act entitled 'An act in relation to the opening, widening, and extending of streets, avenues and public places in the city of New York,' passed May 20, 1869."

"An act in relation to cleaning the streets of the city of New York."

"An act to amend chapter 97 of the Laws of 1875, entitled 'An act providing for the forfeiture of property in certain cases.'"

The Assembly bill entitled "An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized to Angeline Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs at law of said Robert A. Lamont, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Thompson
Bradley	Fox	Lord	Tobey
Coe	Jacobs	Madden	Wagner
Connelly	Johnson	Ray	Wood
Dayton	Kellogg	Robertson	Woodin
Dickinson	King	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 496 of the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Kellogg	Ledwith	Tobey	
Dayton	King	Robertson	Woodin	8

FOR THE NEGATIVE.

Bradley	Dickinson	Jacobs	Lowery	
Cole	Dow	Johnson	Selkreg	
Connelly	Fox	Lord	Wagner	12

Mr. Woodin moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The bill entitled "An act to authorize the village of Port Henry to borrow money on its corporation notes or bonds to purchase a steam fire-engine and necessary fire apparatus for the use of said village, and to levy and collect a tax for the payment of the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dayton	King	Selkreg	
Bradley	Dickinson	Ledwith	Thompson	
Coe	Dow	Lord	Tobey	
Cole	Fox	Lowery	Wagner	
Connelly	Johnson	Robertson	Woodin	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to amend chapter 421, Laws of 1860, entitled 'An act to amend chapter 600 of the Laws of 1865, passed April 28, 1865, entitled 'An act to amend an act entitled 'An act in relation to the compensation of the several officers of State prisons,' passed April 23, 1864,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the relief of the surviving members of the First regiment of New York Volunteers, who served in the war with Mexico,'" reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act relating to the consolidation of certain railroad companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Tobey
Bradley	Jacobs	Ray	Wagner
Cole	Johnson	Selkreg	Wood
Dayton	Laning	Thompson	Woodin
Dow			

17

FOR THE NEGATIVE.

Connelly	King	Ledwith	Robertson
Dickinson			

5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the bill entitled "An act in relation to the Hudson River State Hospital for the Insane, at Poughkeepsie; the State Homœopathic Asylum for the Insane, at Middletown; the Buffalo State Asylum for the Insane, and the State Reformatory, at Elmira," with a message that they had concurred in the passage of the same, with the following amendments:

Page 2, section 2, strike out lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 down to the word "The," and insert the following:

"§ 2. The salary of each of said superintendents is hereby fixed at three thousand dollars per year, except that the superintendent of the Hudson River State Hospital for the Insane, at Poughkeepsie, who shall receive four thousand dollars per year."

Amend the title by striking out all after the word "Insane," third occurring.

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Thompson
Bradley	Jacobs	Lowery	Tobey
Connelly	Kellogg	McGowan	Wagner
Dayton	King	Ray	Wood
Dickinson	Laning	Robertson	Woodin
Fox			

21

FOR THE NEGATIVE.

Cole	Johnson	Lord	Selkreg
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly bill entitled "An act to release the interest of the people of the State of New York in the real estate of which Patrick Lynch, late of the city of Rochester, died seized," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Selkreg
Bradley	Gross	Lord	Thompson
Cole	Jacobs	Lowery	Tobey
Connelly	Johnson	Madden	Wagner
Dayton	Kellogg	McGowan	Wood
Dickinson	King	Ray	Woodin
Dow	Laning	Robertson	27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to enable incorporated parishes of the Protestant Episcopal Denomination in the Diocese of Central New York to make certain transfers of their real and personal estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Thompson
Bradley	Jacobs	Lord	Tobey
Cole	Johnson	McGowan	Wagner
Connelly	King	Robertson	Wood
Dayton	Laning	Selkreg	Woodin
Dickinson			21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to elections in the city and county of New York, and to provide for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage thereat,' passed May 14, 1872," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lord	Selkreg
Cole	Johnson	Lowery	Thompson
Dayton	King	McGowan	Tobey
Dow	Laning	Ray	Wood
Fox	Ledwith	Robertson	Woodin
Gross			21

FOR THE NEGATIVE.

Connelly	Dickinson	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of Wheeler H. Bristol," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Thompson
Cole	Jacobs	McGowan	Tobey
Dayton	Johnson	Ray	Wood
Dickinson	Lord	Selkreg	

15

FOR THE NEGATIVE.

Booth	Dow	King	Wagner
Connelly			

5

Mr. Bradley moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to enable the town of Queensbury, in the county of Warren, to use certain moneys now in the hands of the supervisor of said town for the construction of an iron bridge across the Hudson river, at Glen's Falls, in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Thompson
Connelly	King	Madden	Tobey
Dayton	Laning	McGowan	Wagner
Dickinson	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the city of Schenectady to purchase additional fire-engines and to borrow money therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	Selkreg
Cole	Gross	Lord	Thompson
Connelly	Jacobs	Lowery	Wagner
Dayton	Johnson	Ray	Wood
Dickinson	Kellogg	Robertson	Woodin
Dow	King		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860," having been announced for a third reading,

On motion of Mr. King, and by unanimous consent, was amended as follows :

Add, as section 2, the following :

"Nothing in this act contained shall apply to or affect any act of the Legislature in relation to the bulkhead or pier lines of the harbor of New York passed subsequently to the act hereby amended."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Tobey
Bradley	Gross	McGowan	Wagner
Cole	King	Ray	Wood
Connelly	Laning	Robertson	Woodin
Dickinson	Lord	Thompson	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to confer power on the judges of the superior court of Buffalo to make orders in actions pending in the supreme court," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Thompson
Cole	Gross	McGowan	Tobey
Connelly	Johnson	Moore	Wagner
Dayton	King	Ray	Wood
Dickinson	Laning	Robertson	Woodin
Dow	Lord	Selkreg	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the board of assessors in the city of New York to revise and correct the assessments for the outlet sewer in Eightieth street, and other streets in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	McGowan	Thompson	
Cole	Johnson	Moore	Tobey	
Connelly	King	Parmenter	Wagner	
Dayton	Laning	Ray	Wood	
Dow	Lowery	Selkreg	Woodin	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the Code of Procedure," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Thompson	
Bradley	Fox	McGowan	Tobey	
Cole	Gross	Moore	Wagner	
Connelly	Johnson	Ray	Wood	
Dayton	King	Robertson	Woodin	
Dickinson	Lord	Selkreg		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 97 of the Laws of 1875, entitled 'An act providing for the forfeiture of property in certain cases,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Robertson	
Bradley	Gross	Lord	Selkreg	
Cole	Johnson	Lowery	Thompson	
Connelly	King	Moore	Wood	
Dickinson	Laning	Ray	Woodin	
Dow				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to change the commissioners for the construction of a bridge across the Hudson river, at or near the mouth of North creek, in Warren county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Thompson
Bradley	Fox	Lowery	Tobey
Cole	Gross	Moore	Wagner
Connelly	King	Ray	Wood
Dayton	Laning	Robertson	Woodin
Dickinson	Ledwith	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to amend an act entitled 'An act for the incorporation of the Trustees of the Parochial Fund of the Protestant Episcopal Church in the Diocese of Western New York,' passed March 26, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Thompson
Bradley	Fox	Lowery	Tobey
Cole	Gross	McGowan	Wagner
Connelly	King	Ray	Wood
Dayton	Laning	Robertson	Woodin
Dickinson	Ledwith	Selkreg	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Masonic Hall Association of the village of Hornellsville,' passed April 27, 1869," was read a third time.

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Thompson
Bradley	Fox	Madden	Tobey
Cole	Gross	Ray	Wagner
Connelly	King	Robertson	Wood
Dayton	Laning	Selkreg	Woodin
Dickinson	Ledwith		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Buffalo to the grounds of the Buffalo Driving Park Association in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Thompson
Bradley	Fox	Moore	Tobey
Cole	Gross	Ray	Wagner
Connelly	King	Robertson	Wood
Dayton	Laning	Selkreg	Woodin
Dickinson	Ledwith		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act providing for the appointment of trustees of the estates of persons absenting themselves from their domiciles in this State and remaining unheard of or suddenly disappearing," was read a time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Thompson
Bradley	Fox	Lord	Tobey
Cole	Gross	Lowery	Wagner
Connelly	King	Robertson	Wood
Dayton	Laning	Selkreg	Woodin
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to repeal an act entitled 'An act in relation to the opening, widening, and extending of streets, avenues and public places in the city of New York,' passed May 20, 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Thompson
Bradley	Gross	Lowery	Tobey
Cole	Johnson	Ray	Wagner
Connelly	King	Robertson	Wood
Dayton	Laning	Selkreg	Woodin
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to revise, amend, and consolidate the several acts in relation to the charter of the city of Hudson,' passed May 1, 1872," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Thompson
Bradley	Gross	Lowery	Tobey
Cole	Johnson	Ray	Wagner
Connelly	King	Robertson	Wood
Dayton	Laning	Selkreg	Woodin
Dickinson	Ledwith		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act further to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties in this State,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Thompson
Bradley	Dow	Lord	Tobey
Cole	Gross	Lowery	Wagner
Connelly	Johnson	Robertson	Wood
Dayton	King	Selkreg	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 821 of the Laws of 1873, entitled 'An act to amend an act entitled An act to amend an act entitled An act for the benefit of married women in insuring the lives of their husbands,' passed April 14, 1858, passed April 18, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Thompson
Bradley	Dow	Lord	Tobey
Cole	Fox	Lowery	Wagner
Connelly	Gross	Robertson	Wood
Dayton	King	Selkreg	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend section 3 of title 4 of chapter 8 of part 3 of the Revised Statutes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Thompson
Bradley	Dow	Lord	Tobey
Cole	Gross	Lowery	Wagner
Connelly	Kellogg	Robertson	Wood
Dayton	King	Selkreg	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize the proceedings of a town meeting held at the town house, in the town of Watervliet, on the 18th day of April, 1875," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Thompson	
Bradley	Dow	Lowery	Tobey	
Cole	Gross	Ray	Wagner	
Connelly	Johnson	Robertson	Wood	
Dayton	King	Selkreg	Woodin	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	McGowan	Tobey	
Cole	King	Ray	Wagner	
Connelly	Lord	Robertson	Wood	
Dayton	Lowery	Selkreg	Woodin	
Dickinson	Madden	Thompson		19

FOR THE NEGATIVE.

Jacobs	Ledwith			2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act further to amend chapter 229, Laws of 1870, entitled 'An act to organize and establish a police for the city of Schenectady,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Selkreg	
Cole	Jacobs	Madden	Thompson	
Connelly	Johnson	McGowan	Wagner	
Dayton	King	Ray	Wood	
Dickinson	Ledwith	Robertson	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish, so as to exempt Chautauqua lake from certain provisions of said act,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Selkreg
Bradley	Gross	Madden	Thompson
Cole	Johnson	McGowan	Wagner
Connelly	King	Ray	Wood
Dayton	Ledwith	Robertson	Woodin
Dickinson	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Madden	Thompson
Bradley	Gross	McGowan	Tobey
Cole	Johnson	Ray	Wagner
Connelly	King	Robertson	Wood
Dayton	Ledwith	Selkreg	Woodin
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the Chautauqua Lake Camp-Meeting Association of the Erie Conference of the Methodist Episcopal Church," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Thompson
Bradley	Jacobs	McGowan	Tobey
Cole	Johnson	Ray	Wagner
Connelly	King	Robertson	Wood
Dayton	Ledwith	Selkreg	Woodin
Dow	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the town auditors of the towns of Southfield and Middletown, Richmond county, to audit certain claims," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Selkreg
Bradley	Gross	Madden	Thompson
Cole	Jacobs	McGowan	Wagner
Connelly	Johnson	Ray	Wood
Dayton	King	Robertson	Woodin
Dickinson	Ledwith		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the payment of jurors in protracted trials," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Thompson
Coe	Jacobs	McGowan	Tobey
Cole	King	Ray	Wagner
Connelly	Laning	Robertson	Wood
Dickinson	Ledwith	Selkreg	Woodin
Dow			

21

Mr. Coe moved to reconsider the vote by which said bill was passed, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to provide for a public park in the city of Lockport," was read a third time.

The President put the question whether the Senate would agree to final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Madden	Thompson
Bradley	Fox	McGowan	Tobey
Cole	Gross	Ray	Wagner
Connelly	Jacobs	Robertson	Wood
Dayton	Laning	Selkreg	Woodin
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend section 1 of chapter 693 of the Laws of 1873, so as to include the waters of Findley's lake, in the county of Chautauqua," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Robertson
Bradley	Gross	Lord	Selkreg
Cole	Jacobs	Lowery	Thompson
Connelly	Kellogg	Madden	Wagner
Dayton	King	McGowan	Wood
Dickinson	Laning	Ray	Woodin
Dow			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Laning offered the following :

Resolved (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting him to return Senate bill No. 91, entitled "An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city," for amendment.

On motion of Mr. Laning, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to further amend chapter 541 of the Laws of 1865, entitled 'An act to incorporate the city of Newburgh,' also to amend chapter 551 of the Laws of 1872, entitled 'An act to amend an act entitled An act to incorporate the city of Newburgh,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act for the better security of railroad employees for labor performed," reported in favor of the passage of the same (Mr. Madden dissenting), and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act to incorporate the Western Railroad Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act to extend the time for the completion of the act to authorize the construction of a railroad from at or near the Bath ferry, in the town of North Greenbush, to Douw's Point, in the

town of North Greenbush, in the county of Rensselaer," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the construction of a railway and track in the towns of West Farms and Morrisania,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act to amend chapter 661 of the Laws of 1873, entitled 'An act to provide for the support and care of State paupers,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Selkreg
Bradley	Gross	Madden	Thompson
Coe	Kellogg	McGowan	Wagner
Cole	King	Ray	Wood
Connelly	Laning	Robertson	Woodin
Dayton	Ledwith		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to legalize the action of the village of Whitehall in acquiring title to certain lands, and erecting a building thereon, and authorizing the issuing of bonds of said village for the payment of the debt incurred in such erection," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Selkreg
Bradley	Gross	Madden	Thompson
Cole	Jacobs	McGowan	Wagner
Connelly	Kellogg	Ray	Wood
Dayton	King	Robertson	Woodin
Dickinson	Laning		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Thompson
Bradley	Kellogg	McGowan	Tobey
Coe	King	Ray	Wagner
Cole	Laning	Robertson	Wood
Connelly	Lord	Selkreg	Woodin
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the common council of the city of Buffalo to order to be assessed and to cause to be raised by local assessment the amount of the expenses incurred in rebuilding the westerly end of the sewer in Breckenridge street, in said city, upon and from the lands benefited thereby," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lord	Thompson
Bradley	Dow	Madden	Tobey
Coe	Gross	McGowan	Wagner
Cole	Kellogg	Ray	Wood
Connelly	King	Robertson	Woodin
Dayton	Laning	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the president and trustees of the village of West Troy to raise by tax upon the taxable property within said village such sum or sums as are necessary to meet and pay the outstanding indebtedness of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Selkreg
Bradley	Gross	Lowery	Thompson
Coe	Jacobs	Madden	Tobey
Cole	Kellogg	McGowan	Wagner
Connelly	King	Ray	Wood
Dayton	Laning	Robertson	Woodin
Dickinson			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Selkreg
Bradley	Dow	Lord	Thompson
Coe	Gross	Madden	Wagner
Cole	Jacobs	McGowan	Wood
Connelly	Kellogg	Ray	Woodin
Dayton	King	Robertson	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the increase of the capital stock of the Staten Island Bridge Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Madden	Thompson
Bradley	Dow	McGowan	Tobey
Coe	Gross	Ray	Wagner
Cole	King	Robertson	Wood
Connelly	Laning	Selkreg	Woodin
Dayton	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to legalize the acts of Charles D. Barrows as notary public," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lord	Selkreg
Bradley	Dow	Lowery	Thompson
Coe	Fox	Madden	Wagner
Cole	Jacobs	McGowan	Wood
Connelly	King	Ray	Woodin
Dayton	Laning	Robertson	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 490 of the Laws of 1874, entitled 'An act to amend chapter 504 of the Laws of 1873, entitled An act in relation to a certain highway in the county of Hamil-

ton appropriating certain non-resident highway moneys thereto, and repealing acts heretofore passed in relation thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lord	Selkreg
Bradley	Dow	Madden	Thompson
Coe	Gross	McGowan	Wagner
Cole	King	Ray	Wood
Connelly	Ledwith	Robertson	Woodin
Dayton			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release to George Wheeler the real estate of which Elizabeth Wheeler died seized," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Ledwith	Selkreg
Bradley	Dow	Lowery	Thompson
Coe	Fox	Madden	Tobey
Cole	Jacobs	McGowan	Wagner
Connelly	King	Ray	Wood
Dayton	Laning	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release to Maria Allen the right, title, and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lord	Thompson
Bradley	Dow	Madden	Tobey
Coe	Gross	McGowan	Wagner
Cole	Johnson	Ray	Wood
Connelly	King	Robertson	Woodin
Dayton	Ledwith	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

The Assembly bill entitled "An act to amend chapter 548 of the Laws of 1869, entitled 'An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lord	Thompson
Bradley	Dow	Lowery	Tobey
Coe	Gross	Ray	Wagner
Cole	Jacobs	Robertson	Wood
Connelly	King	Selkreg	Woodin
Dayton	Laning		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 795 of the Laws of 1872, entitled 'An act authorizing the formation of a separate road district in the county of Essex,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lord	Thompson
Bradley	Dow	Lowery	Tobey
Coe	Jacobs	Ray	Wagner
Cole	King	Robertson	Wood
Connelly	Laning	Selkreg	Woodin
Dayton			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to parsonages in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lowery	Thompson
Bradley	Dow	Parmenter	Tobey
Coe	Gross	Ray	Wagner
Cole	King	Robertson	Wood
Connelly	Laning	Selkreg	Woodin
Dayton	Ledwith		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release to Josephine Robright the real estate of which Frederick Robright died seized," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Selkreg
Bradley	Gross	Lowery	Thompson
Coe	Jacobs	Madden	Tobey
Cole	King	Parmenter	Wagner
Connelly	Laning	Ray	Wood
Dayton	Ledwith	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to give effect to a deed of assignment made by the Washington Iron Works to James Bigler," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	McGowan	Thompson
Bradley	Gross	Parmenter	Tobey
Coe	King	Ray	Wagner
Cole	Laning	Robertson	Wood
Connelly	Ledwith	Selkreg	Woodin
Dickinson	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to legalize the resolution adopted at the last annual town meeting, in the town of Olean, providing an appropriation by tax for the construction of a vault in the burial ground of that town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Thompson
Bradley	Gross	Lowery	Tobey
Coe	Jacobs	Parmenter	Wagner
Cole	King	Ray	Wood
Connelly	Laning	Robertson	Woodin
Dayton	Ledwith	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend section 118 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes, in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses," was read a third time.

The President put the question whether the Senate would agree to final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Thompson
Bradley	Gross	Lowery	Tobey
Coe	Jacobs	Parmenter	Wagner
Cole	King	Ray	Wood
Connelly	Laning	Robertson	Woodin
Dayton	Ledwith	Selkreg	
			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the court of oyer and terminer and court of sessions of the county of Kings to sentence prisoners convicted in said courts, of any offense, to the penitentiary of said county for any term for which they might be sentenced to a State prison," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dayton	Laning	Ray
Bradley	Dickinson	Ledwith	Thompson
Coe	Dow	Lord	Tobey
Cole	Fox	Parmenter	Wood
Connelly	Jacobs		
			18

FOR THE NEGATIVE.

King	Selkreg	2
------	---------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

A message from His Excellency the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 4, 1875. }

To the Senate:

In accordance with a joint resolution of the Senate and Assembly, I have the honor to return herewith, for amendment, Senate bill No. 99, entitled "An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872."

SAMUEL J. TILDEN.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Thompson
Bradley	Jacobs	Parmenter	Tobey
Coe	King	Ray	Wagner
Cole	Laning	Robertson	Wood
Connelly	Ledwith	Selkreg	Woodin
Dayton	Lord		

22

Mr. Laning moved that said bill be recommitted to the committee on the judiciary retaining place in the order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution in the words following:

Resolved, That a respectful message be sent to the honorable the Senate asking for the return to the Assembly of the Senate bill entitled "An act to regulate proceedings against corporations by injunctions and otherwise, passed April 7, 1870."

On motion of Mr. Lowery, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly.

Mr. Coe moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act to provide for the payment of jurors in protracted trials," was passed.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Madden	Thompson
Bradley	Dow	Parmenter	Tobey
Coe	King	Ray	Wagner
Cole	Laning	Robertson	Wood
Connelly	Lord	Selkreg	Woodin
Dayton			

21

On motion of Mr. Coe, and by unanimous consent, said bill was amended as follows:

Add, as section 2, the following :

"§ 2. This act shall take effect immediately."

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lowery	Selkreg
Bradley	Dow	Madden	Thompson
Coe	Jacobs	Parmenter	Wagner
Cole	King	Ray	Wood
Connelly	Laning	Robertson	Woodin
Dayton			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

Mr. Booth moved that the Assembly bill entitled "An act to amend an act entitled 'An act to amend, consolidate, and reduce to one act the various acts relative to the common schools of the city of New York,' passed July 3, 1851," be recommitted to the committee on literature retaining its place in the order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Selkreg moved that the committee on railroads be discharged from the further consideration of the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the Binghamton, Dushore and Williamsport Railroad Company to lay a railroad track on the tow-path of that part of the Chenango canal extension which lies south of the Susquehanna river,' passed June 26, 1873," and that the same be referred to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Thompson asked and obtained leave to introduce a bill entitled "An act to amend article 3, title 4 of chapter 6 of part 2 of the Revised Statutes, entitled 'Of the powers and duties of executors and administrators in relation to the sale and disposition of the real estate of the testator or intestate,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thompson moved that the committee on internal affairs be discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 385 of the Laws of 1871, entitled 'An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the town of Newtown, Queens county,' " and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Laning offered the following:

Resolved, That 300 copies of the Report of the Conference Committee upon an act to conform the charter of savings banks, designated on Senate bills as No. 280, be printed forthwith for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to provide means for the establishment and equipment of the building erected on that portion of the Central park, for-

merly known as Manhattan square, in the city of New York, under the provisions of chapter 290, Laws of 1871, for the purposes of a museum of natural history."

Assembly, "An act to amend chapter 448 of the Laws of 1868, entitled 'An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its charter.'"

"An act to authorize appropriations for the poor adult blind in the city of New York not provided for in public or private institutions."

After some time spent therein, the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Lowery, from the same committee, reported in favor of the passage of the second named bill, the title amended by inserting the word "present" before the word "charter," which report was agreed to, and said bill ordered to a third reading.

Mr. Lowery, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to authorize the county of Kings to purchase from the State of New York the State arsenal in the city of Brooklyn as an armory, and provide for the sale of the same by the State," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act relating to lands in the old military tract sold by the State Engineer and Surveyor," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act relative to The International Trust Company of New York."

"An act to extend the time for the organization of the Central Trust Company of New York."

"An act to amend chapter 546 of the Laws of 1872, entitled 'An act to incorporate the Mechanicville Bridge Company for the purpose of constructing a bridge over the Hudson river, between the village of Mechanicville and the town of Schaghticoke.'"

After some time spent therein the President resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act in relation to the canals."

"An act to provide for the liquidation and payment of claims against the State of New York."

After some time spent therein, the President resumed the chair, and Mr. Parmenter, from said committee, reported progress on the said bills, and asked and obtained leave to sit again.

On motion of Mr. Jacobs, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to prevent injury to animals in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Gross, and by unanimous consent, the rules were suspended, and said bill ordered to be considered in the first committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the bill entitled "An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872 (said bill having been recalled from the Governor for amendment) reported in favor of the passage of the same, with the following amendment:

Strike out all of section 1 from the word "toward," in line 12, down to and including the word "year," in line 28, and insert in lieu thereof the words "payment of the subscription of the city of Buffalo in the stock of the Buffalo and Jamestown Railroad Company, for which the common council are authorized to issue the bonds of the said city, and out of the sale and proceeds thereof to pay for the same."

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Coe	Johnson	McGowan	Thompson
Connelly	King	Middleton	Tobey
Dayton	Laning	Ray	Wagner
Dickinson	Lord	Robertson	Wood
Dow	Lowery		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein, as amended.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the official acts of Milo S. Day, a justice of the peace of the town of Harford, Cortland county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the action of the electors of the town of Fort Covington, in the county of Franklin," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of the Cypress Hills Cemetery," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act authorize the city of Buffalo to convey to adjacent land owners lands lying within the limits of certain streets, located in the south village of Black Rock, whenever any such street shall be discontinued or contracted," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to declare a road in Clinton county a public highway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the construction of sewers in the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to provide for holding the annual elections of the village of Hornellsville, at the lock-up in said village, and to limit the number of trustees of said village to five," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act for the preservation of fish in any of the waters in Clinton county, except Lake Champlain," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act further to amend chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the city of Elmira to use a portion of the Chemung canal for a public street, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to extend the time for the collection of taxes in the city of Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners."

"An act to confer additional powers on the common council of the city of Cohoes."

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' passed March 8, 1865."

"An act to amend an act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park in or outside of the city of Binghamton, and lay out the same, passed April 6, 1874."

"An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867, and also to amend

chapter 467 of the Laws of 1874, being an act amendatory of said above-mentioned acts."

"An act to incorporate the Rescue Hook and Ladder Company of Tonawanda, Erie county, New York."

"An act to amend title 2, chapter 10, part 3 of the Revised Statutes, entitled 'Of security for the payment of costs.'"

"An act to prevent fishing within three years in the waters of Lawson's and McCulloch's lake, in the county of Albany."

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Lowery offered the following :

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of Senate bill No. 155, entitled "An act to extend the boundaries of the city of Utica westerly."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly.

Mr. Ray, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to extend the time for the collection of assessments in the town of New Lots, Kings county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to authorize the county of Kings to purchase from the State of New York the State arsenal, in the city of Brooklyn, as an armory, and to provide for the sale of the same by the State."

"An act to prevent injury to animals in the city of New York."

"An act to amend an act entitled 'An act for the relief of the surviving members of the First regiment of New York Volunteers who served in the war with Mexico.'"

After some time spent therein the President resumed the chair, and Mr. Dickinson, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Dickinson, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act for the better security of railroad employees for labor performed."

"An act to incorporate the Western Railroad Company."

"An act to further amend chapter 541 of the Laws of 1865, entitled 'An act to incorporate the city of Newburgh,' also to amend chapter 551 of the Laws of 1872, entitled 'An act to amend an act entitled An act to incorporate the city of Newburgh.'"

After some time spent therein the President resumed the chair, and Mr. Coe, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Coe, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Madden moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Lowery asked and obtained leave to introduce a bill entitled "An act to provide houses of detention in the several counties in this State for the safe-keeping and proper care of women and children charged with offenses and held for trial, and also for the detention of all persons held as witnesses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to amend the Act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the 'Act to establish a capital police district, and to provide for the government thereof,' passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," with a message that they had concurred in the passage of the same, with the following amendment:

Page 2, section 1, line 26, after the word "tax," insert the words "or otherwise."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Robertson
Coe	Gross	Lowery	Selkreg
Connelly	Johnson	Madden	Thompson
Dayton	King	McGowan	Tobey
Dickinson	Laning	Middleton	Wagner
Dow	Ledwith	Ray	Wood

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' passed April 6, 1872," with a message that they had concurred in the passage the same, with the following amendments:

Section 1, line 1, strike out the word "five," and insert in lieu thereof the word "six."

Same line, after the word "of," strike out the words "an act," and insert in lieu thereof the words "chapter 181 of the Laws of 1872."

Strike out all after the word "thereto," in line 5, down to and including the word "two," in line 6.

Amend the title by inserting, after the word "amend," first occurring, the words "chapter 181 of the Laws of 1872," and by striking out, in the same, all after the word thereto."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Robertson
Coe	Gross	Lowery	Selkreg
Connelly	Kellogg	Madden	Thompson
Dayton	King	McGowan	Tobey
Dickinson	Laning	Middleton	Wagner
Dow	Ledwith	Ray	Wood

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *May 4, 1875.* }

To the Senate :

In accordance with a resolution of the Senate and Assembly, I return herewith, for amendment, Senate bill No. 96, entitled "An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city."

SAMUEL J. TILDEN.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Robertson
Coe	Gross	Lowery	Selkreg
Connelly	Johnson	Madden	Thompson
Dayton	King	McGowan	Tobey
Dickinson	Laning	Middleton	Wagner
Dow	Ledwith	Ray	Wood

24

On motion of Mr. Laning, said bill was laid upon the table.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to extend the time for the completion of the act to authorize the construction of a railroad from at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer."

"An act to amend an act entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania.'"

"An act for the relief of the Cypress Hills Cemetery."

After some time spent therein the President resumed the chair, and Mr. Madden, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to legalize the action of the electors of the town of Fort Covington, in the county of Franklin."

"An act to amend chapter 610 of Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the several towns of the county of Westchester.'"

"An act to legalize the official acts of Milo S. Day, a justice of the peace of the town of Harford, Cortland county."

After some time spent therein the President resumed the chair, and Mr. Dayton, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows:

"An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors."

After some time spent therein, the President resumed the chair, and Mr. Dow, from said committee, reported progress on said named bill, and asked and obtained leave to sit again.

On motion of Mr. Dow, the Senate adjourned.

WEDNESDAY, MAY 5, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Lowery presented a remonstrance of citizens of Lewis county against the reduction of tolls on the Black River canal; which was read and referred to the committee on canals.

Messrs. Lowery, Bradley, Dickinson and Dow presented remonstrances of citizens of the counties of Oneida, Chemung, Schuyler, Franklin, St. Lawrence, and Cattaraugus against the reduction of tolls on the canals; which were read and referred to the committee on canals.

Mr. Wood, from the committee on engrossed bills, reported as correctly re-engrossed the bills entitled as follows:

"An act in relation to the Hudson River State Hospital for the Insane, at Poughkeepsie; the State Homœopathic Asylum for the Insane, at Middletown; the Buffalo State Asylum for the Insane."

"An act to amend chapter 324 of the Laws of 1871, entitled 'An act to incorporate 'The Sisterhood of Grey Nuns in the State of New York.'"

"An act for the incorporation of societies or clubs for certain lawful purposes."

"An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860."

"An act to amend an act entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capital police district, and to provide for the government thereof,' passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany."

"An act to amend chapter 181 of the Laws of 1872, entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' passed April 6, 1872."

Mr. Wood, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to authorize appropriations for the poor adult blind in the city of New York, not provided for in public or private institutions."

Mr. Lowery, from the committee on manufactures, to which was referred the Assembly bill entitled "An act to protect the owners of bottles, boxes, baskets, casks, and syphons used in the sale of soda waters, mineral waters, porter, ale, cider, ginger ale, small beer, lager beer, white beer, and other similar beverages," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act providing for the disposition of excise moneys in the several towns of Orange county, except the city and town of Newburgh," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act for the preservation of fish in any of the waters in Clinton county, except Lake Champlain," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act permitting fishing with gill nets for suckers in Schuyler's lake," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act to amend chapter 113 of the Laws of 1859, entitled 'An act in relation to common schools in the village of Elmira,' passed April 4, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to the Flushing High School in school district No. 5 of the town of Flushing, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the bill entitled "An act to authorize the Regents of the University to establish examinations as to attainments in learning," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to repeal chapter 346 of the Laws of 1870, entitled 'An act authorizing the election of a police justice in the village of Tonawanda,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend chapter 554 of the Laws of 1871, entitled 'An act to amend the charter of the village of Warsaw, and to authorize said village to raise money to procure water and to protect said village and the property therein against loss by fire,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bill entitled as follows :

"An act to authorize a tax of thirty-five one-hundredths of a mill per dollar of valuation of the year 1875, for the construction of new work upon and extraordinary repairs of the canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto :

"An act to provide for the payment of jurors in protracted trials."

"An act to amend section 118 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes, in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses."

Ordered, That said bills be returned to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another."

"An act relating to the term of office of clerk of the commission of appeals."

"An act to amend an act entitled 'An act in relation to orphan asylum societies at Brooklyn,' passed March 7, 1848."

"An act to authorize the payment, in whole or in part, of the bonded indebtedness of any of the towns in this State created in aid of any railroad therein, and to prescribe the mode in which the people thereof shall determine the time and amount of such payment."

"An act relating to free instruction in drawing."

"An act supplementary to chapter 55 of the Laws of 1861, entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March 19, 1861, and to provide for the future custody of said hall."

"An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Middletown,' passed March 31, 1866, passed February 17, 1872."

"An act to authorize the board of supervisors of Kings county to construct a suitable building for a work-house at the penitentiary, and to provide for the payment thereof."

"An act to confirm and legalize certain acts of the common council of the city of Elmira."

"An act authorizing the improvement of Delaware street, in the city of Buffalo."

"An act to amend an act entitled 'An act revising and amending an

act entitled 'An act to incorporate the village of Ulster,' passed April 10, 1855, as amended by chapter 847 of the Laws of 1866, passed April 28, 1866."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Assembly bill entitled "An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs," with a message that they had concurred in the report of the committee of conference thereon.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the bill entitled "An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws 1872," with a message that they had concurred in the passage of the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the bill entitled as follows :

"An act in relation to the Hudson River State Hospital for the Insane, at Poughkeepsie; the State Homœopathic Asylum for the Insane, at Middletown; the Buffalo State Asylum for the Insane."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Selkreg offered the following :

Resolved (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting the return of Senate bill No. 189, entitled "An act to authorize the common council of Binghamton to purchase land for a cemetery," for amendment.

On motion of Mr. Selkreg, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Dayton offered the following :

Resolved (if the Assembly concur), That 1,000 copies of the Report of the Commissioners of Fisheries of the State of New York be printed for the use of the Commissioners.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly bill entitled "An act relative to the International Trust Company of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	King	Ray
Bradley	Fox	Ledwith	Robertson
Cole	Gross	Lord	Selkreg
Connelly	Jacobs	Lowery	Thompson
Dayton	Kellogg	Middleton	Wagner
Dickinson			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to extend the time for the organization of the Central Trust Company of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	King	Middleton
Bradley	Dow	Ledwith	Robertson
Cole	Fox	Lord	Selkreg
Connelly	Gross	Lowery	Wagner
Dayton	Jacobs		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 546 of the Laws of 1872, entitled 'An act to incorporate the Mechanicville Bridge Company for the purpose of constructing a bridge over the Hudson river, between the village of Mechanicville and the town of Schaghticoke,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Ray
Bradley	Fox	Lord	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Johnson	Middleton	Thompson
Dayton	King	Moore	Wagner

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,'" having been announced for a third reading,

On motion of Mr. Robertson, and by unanimous consent, was amended as follows :

Amend the title by inserting the words "chapter 361 of the Laws of 1863."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Bradley	Fox	Middleton	Selkreg
Cole	Gross	Moore	Thompson
Connelly	King	Ray	Wagner
Dayton			

17

FOR THE NEGATIVE.

Johnson

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

The Assembly bill entitled "An act to authorize the board of trustees of the village of Athens, in the county of Greene, to permit gas-pipes to be laid in the streets of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Ray
Bradley	Fox	Lord	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Johnson	Middleton	Thompson
Dayton	King	Moore	Wagner

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the county of Kings to purchase from the State of New York the State arsenal, in the city of Brooklyn, as an armory, and to provide for the sale of the same by the State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Robertson
Bradley	Gross	Lowery	Selkreg
Connelly	Jacobs	Middleton	Thompson
Dayton	Johnson	Moore	Wagner
Dickinson	King	Ray	Wood
Dow	Ledwith		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 448 of the Laws of 1868, entitled 'An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its charter,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Robertson
Bradley	Gross	Lowery	Selkreg
Cole	Jacobs	Middleton	Thompson
Connelly	King	Moore	Wagner
Dickinson	Ledwith	Ray	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act for the relief of the surviving members of the First regiment of New York Volunteers who served in the war with Mexico,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Ray
Bradley	Dow	Ledwith	Robertson
Cole	Fox	Madden	Thompson
Connelly	Jacobs	McGowan	Wagner
Dayton	King	Moore	Wood

20

FOR THE NEGATIVE.

Gross	Johnson	Lowery	3
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Mr. Jacobs moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to further amend chapter 541 of the Laws of 1865, entitled 'An act to incorporate the city of Newburgh,' also to amend chapter 551 of the Laws of 1872, entitled 'An act to amend an act entitled An act to incorporate the city of Newburgh,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Robertson
Cole	Gross	Lord	Selkreg
Connelly	Jacobs	Lowery	Thompson
Dayton	Johnson	Madden	Wagner
Dickinson	King	Middleton	Wood
Dow	Laning	Moore	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to prevent injury to animals in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Johnson	Middleton	Thompson
Dayton	King	Moore	Wagner
Dickinson	Laning	Ray	Wood
			20

FOR THE NEGATIVE.

Fox

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize appropriations for the poor adult blind in the city of New York not provided for in public or private institutions," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Bradley	Fox	Lowery	Selkreg
Cole	Gross	Madden	Thompson
Connelly	Johnson	Middleton	Wagner
Dayton	King	Moore	Wood
Dickinson	Ledwith	Ray	
			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to extend the time for the completion of the act to authorize the construction of a railroad from at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Bradley	Fox	Lowery	Selkreg
Cole	Gross	Madden	Thompson
Connelly	Johnson	Middleton	Wagner
Dayton	King	Moore	Wood
Dickinson	Ledwith	Ray	
			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to incorporate the Western Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	King	Middleton	Selkreg
Cole	Laning	Moore	Thompson
Connelly	Lord	Ray	Wagner
Dayton	Lowery	Robertson	Wood
Dickinson			

17

FOR THE NEGATIVE.

Fox

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to provide for the purchase of a site and the erection of a school-house in school district No 3 of the town of Flatbush, in the county of Kings," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act for the relief of the Cypress Hills Cemetery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson
Cole	King	McGowan	Selkreg
Connelly	Laning	Middleton	Wagner
Dayton	Lord	Ray	

15

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly bill entitled "An act to legalize the action of the electors of the town of Fort Covington, in the county of Franklin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Ray
Cole	Gross	Lord	Robertson
Connelly	Jacobs	Lowery	Selkreg
Dayton	Johnson	McGowan	Wagner
Dickinson	King	Moore	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Cole	Fox	Lord	Selkreg
Connelly	Gross	Lowery	Thompson
Dayton	Jacobs	McGowan	Wagner
Dickinson	King	Moore	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act for the better security of railroad employees for labor performed," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate voting in favor thereof, but three-fifths not being present, as follows :

FOR THE AFFIRMATIVE.

Cole	Fox	Lord	Robertson
Connelly	Jacobs	Lowery	Selkreg
Dayton	King	McGowan	Tobey
Dickinson	Laning	Ray	Wood
Dow			

17

Mr. Selkreg moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend chapter 729 of the Laws of 1871, entitled 'An act authorizing the board of supervisors of the county of Essex to levy and assess certain taxes on certain lands in the town of Minerva, in said county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Robertson
Cole	King	McGowan	Selkreg
Dayton	Laning	Middleton	Tobey
Dickinson	Ledwith	Moore	Wagner
Dow	Lord	Ray	Wood
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to legalize the official acts of Milo S. Day, a justice of the peace of the town of Harford, Cortland county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Robertson
Cole	Jacobs	Lowery	Selkreg
Connelly	King	McGowan	Tobey
Dayton	Laning	Middleton	Wagner
Dickinson	Ledwith	Ray	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide means for the establishment and equipment of the building erected on that portion of the Central park, formerly known as Manhattan square, in the city of New York, under the provisions of chapter 290, Laws of 1870, for the purposes of a museum of natural history," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Cole	Jacobs	McGowan	Selkreg
Dayton	Johnson	Middleton	Tobey
Dickinson	King	Moore	Wagner
Dow	Laning	Ray	Wood
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly returned the bill entitled "An act in relation to the purchase by the United States of certain lands at West Point and the

ceding jurisdiction of this State over said lands to the United States," with a message that they had concurred in the passage thereof, with the following amendment:

Section 1, line 14, after the word observatory," insert the words "and the Legislature hereby also cedes the jurisdiction over said land to the United States."

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, two thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Johnson	Madden	Thompson
Dayton	King	McGowan	Tobey
Dickinson	Laning	Moore	Wood
Dow	Ledwith	Ray	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

A message from His Excellency the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 5, 1875. }

To the Senate:

In accordance with a resolution of the Senate and Assembly, I transmit herewith, for amendment, Senate bill No. 189, entitled "An act to authorize the common council of Binghamton to purchase land for a cemetery," etc.

SAMUEL J. TILDEN.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Cole	Fox	Lowery	Selkreg
Connelly	Jacobs	McGowan	Tobey
Dayton	King	Moore	Wagner
Dickinson	Laning	Ray	Wood

20

On motion of Mr. Selkreg, and by unanimous consent, said bill was amended as follows:

Section 1, line 8, strike out all after "§ 7," down to and including the word "and," in line 11, and insert in lieu thereof the words "The common council of the city of Binghamton may, by a vote of two-thirds of the members thereof."

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Robertson
Cole	Gross	McGowan	Selkreg
Connelly	King	Middleton	Tobey
Dayton	Laning	Moore	Wagner
Dow	Lord	Ray	Wood

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein, as amended.

The Assembly returned, pursuant to request, the Assembly bill entitled "An act to extend the boundaries of the city of Utica westerly."

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lowery	Robertson	
Cole	Gross	McGowan	Selkreg	
Connelly	King	Middleton	Thompson	
Dayton	Laning	Moore	Wagner	
Dickinson	Lord	Ray	Wood	20

On motion of Mr. Lowery, and by unanimous consent, said bill was amended as follows :

Add, as section 2, the following :

"§ 2. The territory herein described lying between the western boundaries of the city of Utica, as defined by section 1 of "An act to revise the charter of the city of Utica, passed February 20, 1862," and the western boundaries of the said city, as herein defined, shall be annexed to and form a part of the second ward of said city."

Change section 2 to section 3.

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Selkreg	
Cole	Gross	Lowery	Thompson	
Connelly	Jacobs	McGowan	Tobey	
Dayton	King	Ray	Wagner	
Dow	Laning	Robertson	Wood	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Laning moved to take from the table the bill recalled from the Governor, entitled "An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Laning, and by unanimous consent, said bill was amended as follows :

Section 1, line 8, engrossed bill, after the word "void," strike out the words down to and including the word "whatever," on line 9, and insert as follows: "by reason of any irregularity or informality on the part of the common council in the proceedings directing the grading or paving of any street, or the construction of any sewer or other local improvement, or in giving or publishing the notice required by the charter therefor; or by reason of the insufficiency of any affidavit of any city officer required by said charter, or for the reason that the grading and paving of any street has been ordered by said common council as one work and included in one notice, or by reason of any irregularity or informality in the assessment therefor."

Strike out all of section 6, engrossed bill, and insert as follows:

"§ 6. This act shall not apply to any case arising prior to January 1, 1871, nor to any case where any assessment has been or shall be adjudged to be void by reason of any fraud or by reason of any collusion between said common council, or any officer of said city, and any contractor or other person in respect to such assessment, or in respect to any work or improvement ordered by said common council."

Make section 6 section 7.

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	McGowan	Selkreg
Cole	King	Middleton	Thompson
Connelly	Laning	Moore	Tobey
Dayton	Lord	Ray	Wagner
Dow	Lowery	Robertson	Wood
Fox			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein, as amended.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to further amend chapter 776 of the Laws of 1870, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge, and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to amend an act and the title of an act entitled 'An act to authorize the Bleecker Street and Fulton Ferry Railroad Company, of the city of New York, to extend their railroad track through certain streets and avenues in the city of New York,' passed April 11, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act in relation to the Merchants' Loan Company,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Booth, from the committee on the affairs of cities, to which was referred the bill entitled "An act to enable the city of Yonkers to consolidate and equalize the time of payment of its bonded debt," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the bill entitled "An act to enable the city of New York to finally settle and pay that part of the bonded debt of the late town of Yonkers, apportioned to the late town of Kingsbridge," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was recommitted the Assembly bill entitled "An act to confirm, reduce, and levy a certain assessment for improving Morton street, in the city of Albany," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act in relation to the Croton aqueduct of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act providing for the appointment of marshals in the annexed district in the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 702 of the Laws of 1872, entitled "An act to improve and regulate the use of the Fourth avenue, in the city of New York," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act authorizing the board of engineers of the Fourth avenue improvement to alter their plans for crossing at and between Fifty-first and Fifty-third streets, in the city of New York," and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' passed April 7, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the Assembly bill entitled "An act for the incorporation of library societies," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connolly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend

chapter 47 of the Laws of 1826, entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend chapter 798 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Catholic Association of the city of Buffalo,' passed April 27, 1871," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend chapter 321 of the Laws of 1873, entitled 'An act to amend an act entitled An act to incorporate the Eighth Ward Savings Bank of the city of New York,' passed March 22, 1871, and to change its name to Fifth Avenue Savings Bank, passed April 29, 1873," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act to abandon the further use by the people of the State of New York of the buildings, lands, and premises in the county of Albany used as a public arsenal, and to convey said buildings, lands, and premises to the city of Albany," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Bradley moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act for the relief of Wheeler H. Bristol," was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Moore
Bradley	Gross	Lord	Ray
Cole	Jacobs	McGowan	Robertson
Connelly	Johnson	Middleton	Wagner
Dayton			

17

FOR THE NEGATIVE.

Dow

1

Mr. Bradley moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to provide for the purchase of a site and the erection of a school-house in school district No. 3 of the town of Flatbush, in the county of Kings."

"An act to extend the time for the collection of the assessments for the improvement of Fulton avenue, in the town of New Lots, Kings county."

"An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Laning moved that the executive session be postponed until ten minutes before two o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act in relation to the Croton aqueduct of the city of New York."

"An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the acts amendatory thereof."

"An act to confirm, reduce, and levy a certain assessment for improving Morton street, in the city of Albany."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Johnson, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act in relation to the Flushing High School in school district No. 5 of the town of Flushing, Queens county."

"An act permitting fishing with gill nets for suckers in Schuyler's lake."

"An act to protect the owners of bottles, boxes, baskets, casks, and syphons used in the sale of soda water, mineral waters, porter, ale, cider, ginger ale, small beer, lager beer, white beer, or other similar beverages."

After some time spent therein the President resumed the chair, and Mr. Thompson from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Thompson, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act in relation to laying out, construction, and operating a rapid transit road in the city of New York," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to authorize cities to provide railways for rapid transit of persons and property, and to create corporations for that purpose," and said bill was committed to the committee of the whole.

Mr. Moore moved that said bill be considered in the first committee of the whole to-morrow.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Utica, Ithaca and Elmira Railroad Company to extend their road, and for other purposes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to further amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dayton moved that the Assembly bill entitled "An act to confirm, reduce, and levy a certain assessment for improving Morton street, in the city of Albany," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to confirm, reduce, and levy a certain assessment for improving Morton street, in the city of Albany."

"An act to amend chapter 54 of the Laws of 1871, entitled 'An act to amend the charter of the village of Warsaw, and to authorize said village to raise money to procure water and to protect said village and the property therein against loss by fire.'"

"An act providing for the appointment of marshals in the annexed district in the city and county of New York."

After some time spent therein, the President resumed the chair, and Mr. Parmenter, from said committee, reported in favor of the passage the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Parmenter, from the same committee, reported in favor of the passage of the second and last named bills, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act for the incorporation of library societies."

"An act to amend an act entitled 'An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' passed April 7, 1866."

"An act to further amend chapter 776 of the Laws of 1870, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge, and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village."

After some time spent therein the President resumed the chair, and Mr. King, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Cole, from the joint committee of the Senate and Assembly, appointed to investigate and examine into the question of fraud and collusion between State officers and contractors in reference to the canals, presented a report thereon; which was laid upon the table and ordered printed.

(See Doc. No. 88.)

Mr. Laning offered the following:

Resolved (if the Assembly concur), That the joint committee in relation to canal fraud investigations be authorized to continue their investigations after the adjournment of the Legislature, with the same power and for the purpose designated in the resolution authorizing their appointment, and report the result of their investigations, with the testimony taken by them, and what further legislation is necessary to protect the interest of the State, and insure an honest administration in the management of the canals to the next Legislature.

Ordered, That said resolution be laid upon the table.

Mr. Kellogg, from the sub-committee on canals, to which was referred the subject of terminal charges, in the cities of New York and Buffalo, upon canal boats, presented their report; which was laid upon the table and ordered printed.

(See Doc. No. 89.)

Mr. Laning moved that the report of the committee be agreed to.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Laning offered the following:

Resolved, That 1,000 extra copies of the report of the committee on terminal charges be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Coe moved to reconsider the vote by which the Assembly bill entitled "An act for the relief of the Cypress Hills Cemetery," was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Bradley	Gross	Lowery	Selkreg
Coe	Kellogg	McGowan	Thompson
Connelly	King	Middleton	Tobey
Dayton	Laning	Ray	Wood
Dickinson	Ledwith		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Tobey, the Senate adjourned.

THURSDAY, MAY 6, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Messrs. Dickinson, Selkreg, Madden and McGowan presented remonstrances from citizens of Franklin, Tompkins, Sullivan, Herkimer and Otsego counties, against a reduction of canal tolls; which were read and referred to the committee on canals.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend section 4, title 5, chapter 20 of part 1 of the Revised Statutes in relation to disorderly persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for, and to regulate the mode of, admission of attorneys and counsellors coming from the courts of other States to practice in the courts of this State," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release the right, title, and interest of the people of the State of New York of, in and to certain real estate of which Thomas Thompson died seized to Mary Smith, formerly Mary Thompson, his widow," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend the act for the protection and improvement of the Seneca Indians residing on the Cattaraugus and Allegany reservations, in this State,' passed November 15, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act to provide houses of detention in the several counties in this State for the safe-keeping and proper care of women and children charged with offenses and held for trial, and also for the detention of all persons held as witnesses," which was read the first time, and by unanimous consent was also read the second time.

Mr. Robertson moved that said bill be substituted for Senate bill, same title, and said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

"An act to amend section 20 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for laying an assessment for sewers in said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act for the improvement of Myrtle avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to prevent the commission of frauds in the purchase and sale of real estate in the counties of New York and Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to authorize the village of Port Henry, in Essex county, to borrow money on its corporation notes or bonds to purchase a steam fire-engine and necessary fire apparatus for the use of said village, and to levy and collect a tax for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to release the interest which the State of New York may have acquired to the real estate of which John Smith died seized to his widow, Mary Newman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend and consolidate the several acts relating to the city of Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to further amend the charter of the village of Delhi," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to establish police and fire departments in the city of Utica, and place the same under the direction of the mayor of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the construction and maintenance of two additional public baths in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act in relation to the benevolent fund of the late volunteer fire department of the late town of Morrisania, now the Twenty-third ward of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to provide houses of detention in the several counties of this State for the safe-keeping and proper care of women and children charged with offenses and held for trial, and also for the detention of all persons held as witnesses," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the Merchants' Loan

Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the discontinuance of proceedings for taking property for public use in certain cases," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to provide for the election of police justices in villages," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act further to amend chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 385 of the Laws of 1871, entitled 'An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the town of Newtown, Queens county,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of Ferdinand S. Hahn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend article 3 of title 3 of chapter 6 of part 2 of the Revised Statutes relating to the distribution of the personal property of persons dying intestate," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act releasing the interest of the State in certain lands of which Mary Ann Thompson died possessed to Christopher G. Mason," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in the city of Elmira," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to prohibit assessment of property owned by the State of New York," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to enlarge the jail limits of

the county of Yates," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 15 of article 1 of chapter 3 of part 1 of the Revised Statutes relative to the paying over of moneys by the collectors of taxes in the several towns of this State," reported adversely thereto.

Mr. Dow moved that the report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood, from the committee on engrossed bills, reported as correctly re-engrossed the following entitled bill, as amended :

"An act in relation to the purchase by the United States of certain lands at West Point, and the ceding jurisdiction of this State over said lands to the United States."

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 420, entitled "An act in relation to parsonages in certain cases," for amendment.

By unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Also, the following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 461, entitled "An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county," for amendment.

By unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the bill entitled "An act to amend the act entitled 'An act to provide for supplying the city of Hudson with pure and wholesome water,' passed May 7, 1873," with a message that they had concurred in the passage of the same, with the following amendment :

Section 1, line 2, strike out the word "ten," and insert in lieu thereof the word "five."

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Ray
Cole	Gross	Lowery	Robertson
Connelly	Jacobs	Madden	Selkreg
Dayton	King	Middleton	Thompson
Dickinson	Laning	Moore	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to define and limit the liens of contractors and others upon real estate in the city and county of New York, and to provide for the enforcement thereof," with a message that they had concurred in the passage of the same, with the following amendment :

Section 4, strike out all after the word "preferred," in line 2, down to and including the word "also," in line 4.

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Ray
Cole	Gross	Lowery	Robertson
Connelly	Jacobs	Madden	Selkreg
Dayton	King	Middleton	Thompson
Dickinson	Laning	Moore	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the bill entitled "An act in relation to the floating debt of the village of Edgewater," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of cities, to which was referred the bill entitled "An act authorizing and empowering the commissioners of the sinking fund of the city of New York to assign to the board of education certain property to be used for school purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to amend chapter 51 of the Laws of 1864, entitled 'An act in relation to the Bureau of Military Statistics,' " which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Laning, and by unanimous consent, the rules were suspended, and said bill ordered to be considered in the first committee of the whole.

The Assembly bill entitled "An act to provide for the purchase of a site and the erection of a school-house in school district No. 3 of the town of Flatbush, in the county of Kings," was read a third time.

The President put the question whether the Senate would agree to final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lowery	Ray
Cole	Gross	Madden	Robertson
Connelly	Jacobs	Middleton	Selkreg
Dayton	King	Moore	Thompson
Dickinson	Laning	Parmenter	Wood
Dow	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to extend the time for the collection of the assessments for the improvement of Fulton avenue, in the town of New Lots, Kings county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Ray
Cole	Gross	Madden	Robertson
Connelly	Jacobs	Middleton	Selkreg
Dayton	Laning	Moore	Thompson
Dickinson	Lord	Parmenter	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the Croton aqueduct of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Ray
Cole	Gross	Madden	Robertson
Connelly	Jacobs	Middleton	Selkreg
Dayton	Laning	Moore	Thompson
Dickinson	Lord	Parmenter	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the Flushing High School in school district No. 5 of the town of Flushing, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Parmenter
Cole	Gross	Lowery	Robertson
Connelly	Jacobs	Madden	Selkreg
Dayton	King	Middleton	Thompson
Dickinson	Laning	Moore	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act permitting fishing with gill nets for suckers in Schuyler's lake," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Parmenter
Cole	Gross	Lowery	Ray
Connelly	Jacobs	Madden	Robertson
Dayton	King	Middleton	Selkreg
Dickinson	Laning	Moore	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That the joint committee of the Senate and Assembly, appointed pursuant to joint resolution to investigate and examine into the question of fraud or collusion between State officers and contractors in reference to the letting or prosecution of any contracts for work upon the canals now in force or finished, be directed to hold joint sessions during the recess of the Legislature for the purpose of continuing and completing the investigation directed to be made by said joint resolution, and report to the next Legislature ; and that said committee be empowered to employ counsel, a stenographer, clerk and messenger, and also have power to send for persons and papers during said time.

Mr. Laning called from the table the Senate resolution upon the same subject.

Mr. Laning moved that the resolution received from the Assembly be substituted for said Senate resolution.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Dow	Madden	Thompson	
Cole	King	McGowan	Tobey	
Connelly	Laning	Ray	Wagner	
Dickinson	Lord	Selkreg	Wood	16

FOR THE NEGATIVE.

Bradley	Johnson	Middleton	Parmenter	
Fox	Ledwith	Moore	Robertson	
Gross	Lowery			10

When the name of Mr. Woodin was called, he asked to be excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

Mr. Laning moved to reconsider the vote by which said resolution was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for certain expenses of government," reported in favor of the passage of the same, with other amendments thereto, the title amended so as to read "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," and said bill was committed to the committee of the whole.

Mr. Wood moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gross, from the committee on banks, to which was referred the Assembly bill entitled "An act supplementary to an act entitled 'An act to incorporate the Manhattan Loan and Trust Company of the city of New York,' passed June 26, 1873," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Gross, from the committee on banks, to which was referred the Assembly bill entitled "An act to authorize the reduction of the capital stock of the New York Loan and Indemnity Company in the city of New York, and to change its corporate name," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the bill entitled "An act to amend an act, and the title of an act, entitled 'An act to authorize the Bleeker Street and Fulton Ferry Railroad Company of the city of New York to extend their tracks through certain streets and avenues in the city of New York,' passed April 11, 1873," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend chapter 825 of the Laws of 1873, entitled 'An act to authorize the laying of rails and to run cars thereon for the transportation of passengers in certain streets and avenues in the upper part of the city of New York,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print the Report of the Commissioners of Fisheries, reported in favor of the adoption of the following resolution: *Resolved* (if the Assembly concur), That 1,000 copies of the Report of the Commissioners of Fisheries of the State of New York be printed for the use of the Commissioners.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Cole	Gross	Lord	Ray
Connelly	Jacobs	Lowery	Selkreg
Dayton	Johnson	Madden	Thompson
Dickinson	King	McGowan	Tobey
Dow	Laning	Middleton	Wagner
Fox	Ledwith	Moore	Woodin

24

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Canal Commissioners, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That there be printed, on fine paper, for the use of the Canal Commissioners, 3,000 copies of their report for the year ending September 30, 1874; 1,000 to be bound in cloth, and the remainder in paper. Also, that 2,000 copies be printed for the use of the Legislature. Also, that 200 copies of Professor T. H. Benedict's Report upon the Head-waters of the Hudson and Raquette, included in the above report, be printed separately and bound in cloth; one-half for Professor Benedict, and the remainder for the use of the Canal Commissioners.

Mr. Johnson moved to amend the report by striking out the words "on fine paper."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood moved to amend the report by striking out the words "also, that 2,000 copies be printed for the use of the Legislature."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson called for a division of the question.

The President put the question on that portion of said report which provides for the printing of "3,000 copies of the Report of the Canal Commissioners, 1,000 to be bound in cloth," and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	McGowan	Selkreg
Cole	Johnson	Moore	Thompson
Connelly	Ledwith	Parmenter	Wagner
Dayton	Lowery	Ray	Wood
Dickinson	Madden	Robertson	Woodin
Dow			

21

The President then put the question on the remainder of said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	McGowan	Wagner	
Connelly	King	Parmenter	Wood	
Dayton	Laning	Selkreg	Woodin	
Dickinson	Lowery	Thompson		15

FOR THE NEGATIVE.

Bradley	Dow	Johnson	Robertson	
Cole	Gross	Madden		7

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Governor's Message in German, reported for consideration the following resolution :

Resolved (if the Senate concur), That 1,000 extra copies of the Governor's Annual Message be printed in German for the use of the Legislature.

Mr. Johnson moved to amend by striking out the word "Legislature," and inserting the words "Senator from the Sixth district."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Fox moved to amend the report by adding the words "and the President of the Senate."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Laning moved to take from the table the motion to reconsider the vote by which the resolution authorizing the joint committee appointed to investigate the question of canal frauds, to sit during the recess of the Legislature, was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said resolution was lost, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Tobey	
Cole	Fox	Madden	Wagner	
Connelly	Gross	McGowan	Wood	
Dayton	King	Ray	Woodin	
Dickinson	Laning	Selkreg		19

FOR THE NEGATIVE.

Bradley	Middleton	Moore	Robertson	4
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The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lord	Thompson
Coe	Dow	Madden	Tobey
Cole	King	Ray	Wagner
Connelly	Laning	Selkreg	Wood
Dayton			

17

FOR THE NEGATIVE

Bradley	Johnson	McGowan	Moore
Fox	Lowery	Middleton	Robertson
Gross			

9

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of the Committee on Ways and Means, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That 1,500 extra copies of the Report of the Committee of Ways and Means of 1874 on Assessments and Taxation be printed for the use of the Legislature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE NEGATIVE.

Bradley	Gross	Lowery	Moore
Coe	Johnson	Madden	Ray
Cole	King	McGowan	Robertson
Dow	Laning	Middleton	Tobey
Fox	Lord		

18

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Twenty-seventh and Twenty-eighth Annual Reports of the Regents of the University on the State Museum, reported in favor of the adoption of the following resolution:

Resolved (if the Assembly concur), That 1,500 copies each of the Twenty-seventh and Twenty-eighth Annual Report of the Regents of the University on the State Museum of Natural History be printed for the use of the Regents of the University, and 300 copies of each for the use of the Director of the State Museum.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Booth	King	McGowan	Wood
Fox	Lowery	Selkreg	

7

FOR THE NEGATIVE.

Bradley	Dow	Lord	Robertson
Coe	Gross	Middleton	Thompson
Cole	Johnson	Moore	Wagner
Dickinson	Kellogg		

14

Mr. Selkreg, from the committee on public printing, to which was referred the resolution to print extra copies of the Report of Dr. Asa Fitch upon Insects, reported for the consideration of the Senate the following resolution:

Resolved (if the Senate concur), That the Regents of the University cause to be printed 2,000 copies of the revised report on the noxious, beneficial, and other insects of the State, by Dr. Asa Fitch, late State Entomologist, with the requisite illustrations and figures; 300 of such copies to be retained by the Regents for exchange; 100 copies to be delivered to the State Agricultural Society; one copy to each Agricultural Society in the State; five copies to each member of the Legislature, and the remainder to be kept on sale by the Secretary of State at, or nearly as may be, the cost of publication; that such publication be made under the editorship of said Asa Fitch, provided his remuneration therefor shall not exceed the sum of three hundred dollars, and that the bills for the editing, printing, engraving, and binding of said report be paid by the Comptroller upon the certificate of the Chancellor of the University, the whole expense of same not to exceed five thousand dollars.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

King	Laning	Middleton	Selkreg	4
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FOR THE NEGATIVE.

Bradley	Dow	Lord	Robertson	
Coe	Gross	Lowery	Thompson	
Connelly	Johnson	Madden	Wood	
Dickinson	Kellogg	Ray		15

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act in relation to the cleaning of the streets, avenues, lanes, alleys, places, wharves, piers and heads of slips in the city of New York, and the removal of ashes, garbage, and rubbish and sweepings therefrom, and for the creation of a department to be known and entitled the "department of street cleaning of the city of New York," the head of which shall be known and entitled "the commissioner of street cleaning," who shall take charge of and perform said work, and to secure a more effectual state of cleanliness and a better sanitary condition of the streets of said city than has heretofore existed," reported adversely thereto.

Mr. Gross moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Connelly, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to declare a road in Clinton county a public highway," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ray offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting the return of the bill entitled

"An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, and the Buffalo State Asylum for the Insane," for amendment.

On motion of Mr. Ray, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

By unanimous consent, Mr. Connelly asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wood, from the committee on engrossed bills, reported as correctly re-engrossed the following entitled bills, as amended:

"An act to define and limit the liens of contractors and others upon real estate in the city and county of New York, and to provide for the enforcement thereof."

"An act to amend the act entitled 'An act to provide for supplying the city of Hudson with pure and wholesome water,' passed May 7, 1873."

The Assembly bill entitled "An act to protect the owners of bottles, boxes, baskets, casks and syphons used in the sale of soda waters, mineral waters, porter, ale, cider, ginger ale, small beer, lager beer, white beer, or other similar beverages," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Ray
Dickinson	Jacobs	Middleton	Robertson
Dow	Johnson	Moore	Wood
Fox	Ledwith		

14

FOR THE NEGATIVE.

Coe	King	Lord	Thompson
Cole	Laning	Selkreg	Woodin
Connelly			

9

Mr. Gross moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act to amend an act entitled 'An act for the relief of the surviving members of the First regiment of New York volunteers, who served in the war with Mexico,'" was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Robertson
Bradley	Fox	Ledwith	Selkreg
Coe	Gross	Middleton	Tobey
Connelly	Jacobs	Moore	Woodin
Dayton	King		

18

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Moore
Bradley	Fox	Ledwith	Ray
Coe	Gross	Lowery	Robertson
Cole	Jacobs	Madden	Selkreg
Connelly	Kellogg	McGowan	Tobey
Dayton	King	Middleton	Woodin
Dickinson			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to confer on boards of supervisors further powers of local legislation and administration and regulate the compensation of supervisors," having been announced for a third reading,

On motion of Mr. Dayton, and by unanimous consent, was amended by inserting in section 1, subdivision 1, after the word "Erie," the words "and Albany."

On motion of Mr. Robertson, and by unanimous consent, was amended as follows:

Section 2, line 15, strike out the word "misdemeanors," and insert the words "imprisonment for a term less than five years."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Ledwith	Parmenter
Bradley	Fox	Lowery	Robertson
Coe	Gross	Madden	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	King	Middleton	Tobey
Dayton	Laning	Moore	Woodin
Dickinson			

25

FOR THE NEGATIVE.

Jacobs

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the incorporation of library societies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Ray
Coe	Johnson	McGowan	Robertson
Cole	King	Middleton	Selkreg
Dayton	Laning	Moore	Thompson
Dickinson	Ledwith	Parmenter	Tobey
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act providing for the appointment of marshals in the annexed district in the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Parmenter
Bradley	Dow	Ledwith	Ray
Coe	Fox	McGowan	Selkreg
Cole	Gross	Middleton	Tobey
Dayton	King	Moore	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act in relation to cleaning the streets of the city of New York," having been announced for a third reading,

Mr. Fox moved that said bill be recommitted to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Parmenter
Dayton	Jacobs	Moore	Ray
Fox	Johnson		

10

FOR THE NEGATIVE.

Booth	Kellogg	McGowan	Thompson
Cole	King	Middleton	Tobey
Connelly	Lowery	Robertson	Wood
Dickinson	Madden	Selkreg	Woodin
Dow			

17

On motion of Mr. Johnson, and by unanimous consent, the rules were suspended, and the bill was amended as follows:

Section 4, line 3, engrossed bill, after the word "bidder," insert the words "giving adequate security for the completion thereof."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	McGowan	Thompson
Coe	Kellogg	Middleton	Tobey
Cole	King	Moore	Wood
Connelly	Lowery	Robertson	Woodin
Dickinson	Madden	Selkreg	19

FOR THE NEGATIVE.

Fox	Johnson	Ledwith	Parmenter
Gross			5

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Ledwith moved that the Senate do now take a recess until half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Assembly bill entitled "An act to amend chapter 54 of the Laws of 1871, entitled 'An act to amend the charter of the village of Warsaw, and to authorize said village to raise money to procure water, and to protect said village and the property therein against loss by fire,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Cole	Johnson	McGowan	Selkreg
Connelly	Kellogg	Middleton	Thompson
Dayton	King	Moore	Tobey
Dow	Ledwith	Parmenter	Wood
Fox	Lord	Ray	Woodin
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

By unanimous consent, Mr. Madden asked and obtained leave to introduce a bill entitled "An act to provide for the sale of stock and bonds of bankrupt railroad companies by municipal corporations holding the same, and for the disposition of the proceeds of such stock or bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bradley moved to take from the table the Assembly bill entitled "An act for the relief of Wheeler H. Bristol."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Ray
Coe	Gross	McGowan	Robertson
Cole	Jacobs	Middleton	Selkreg
Connelly	Johnson	Moore	Thompson
Dayton	Kellogg	Parmenter	Tobey
Dickinson	Lord		

22

FOR THE NEGATIVE.

Dow	King	
-----	------	--

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Parmenter moved that the Senate hold an executive session at 10 minutes before 2 p. m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act in relation to the administration of civil law in the city of New York, and in connection therewith to create an inferior local court in said city with civil jurisdiction only," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gross moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to confirm, reduce and levy a certain assessment for improving Morton street in the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Cole	Johnson	Madden	Robertson
Dayton	Kellogg	McGowan	Selkreg
Dickinson	King	Middleton	Thompson
Dow	Ledwith	Moore	Tobey
Gross	Lord	Parmenter	Wood
Jacobs	Lowery	Ray	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' passed April 7, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lord	Parmenter
Coe	Fox	Lowery	Robertson
Cole	Gross	McGowan	Selkreg
Dayton	Jacobs	Middleton	Thompson
Dickinson	King	Moore	Tobey
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to further amend chapter 776 of the Laws of 1870, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lord	Robertson
Bradley	Dow	Lowery	Selkreg
Coe	Gross	McGowan	Thompson
Cole	Jacobs	Middleton	Tobey
Connelly	Johnson	Moore	Woodin
Dayton	King	Parmenter	
			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 6, 1875. }

To the Senate:

In accordance with a resolution of the Senate and Assembly, I transmit herewith, for amendment, Senate bill entitled "An act in relation to the Hudson River State Hospital for the Insane, at Poughkeepsie ; the State Homœopathic Asylum for the Insane, at Middletown, and the Buffalo State Asylum for the Insane."

SAMUEL J. TILDEN.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided

in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Ray
Coe	Gross	McGowan	Robertson
Cole	Jacobs	Middleton	Selkreg
Connelly	Johnson	Moore	Thompson
Dayton	King	Parmenter	Woodin
Dickinson	Lord		

22

On motion of Mr. Ray, and by unanimous consent, said bill was amended as follows :

Section 1, line 31, strike out the word "Governor," and insert the words "Lieutenant-Governor, Attorney-General."

Same section, line 35, strike out the word "Governor," and insert the words "Lieutenant-Governor, Attorney-General."

Same section, line 38, strike out the word "Governor," and insert the words "Lieutenant-Governor, Attorney-General."

Mr. Bradley moved to recommit said bill to the committee on finance, with instructions to amend by inserting in line 8, section 1, after the word "insane," the words "and the Elmira Reformatory."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative:

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Dow	Lowery	Ray
Cole	Fox	Madden	Robertson
Connelly	Gross	McGowan	Selkreg
Dayton	King	Middleton	Thompson
Dickinson	Ledwith	Parmenter	Woodin

20

FOR THE NEGATIVE.

Bradley	Johnson
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein, as amended.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same, as amended :

"An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city."

"An act to amend 'An act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park in or outside of the city of Binghamton, and lay out the same,' passed April 6, 1874."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act to release the right, title, and interest of the people of the State of New York in and to certain real estate, of which James Gillen

died seized to Elizabeth Ryall, late widow of the said James Gillen, deceased, and now wife of Christopher Ryall."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto :

"An act to authorize the court of oyer and terminer and court of sessions of the county of Kings to sentence prisoners convicted in said courts of any offense, to the penitentiary of said county for any term for which they might be sentenced to a State prison."

"An act to release to Maria Allen the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn."

"An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof."

"An act to provide means for the establishment and equipment of the building erected on that portion of the Central park formerly known as Manhattan square, in the city of New York, under the provisions of chapter 290, Laws of 1871, for the purposes of a museum of natural history."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills :

"An act for the incorporation of societies or clubs for certain lawful purposes."

"An act to amend chapter 324 of the Laws of 1871, entitled 'An act to incorporate the Sisterhood of Grey Nuns in the State of New York.'"

"An act to amend an act entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof, and also to repeal the act to establish a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany."

"An act to amend chapter 186 of the Laws of 1872, entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto.'"

"An act in relation to the purchase by the United States of certain lands at West Point and the ceding of jurisdiction of this State over said lands to the United States."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Johnson, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The Assembly sent for concurrence the following resolution :

Resolved (if the Senate concur), That the Regents of the University, as trustees of the State Museum of Natural History, be authorized to transfer to Washington Headquarters, in Newburgh, any arms, relics or other objects of historic interest of the Revolutionary period.

Ordered, That said resolution be laid upon the table.

The Assembly sent for concurrence the bills entitled as follows :

"An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers,' passed June 1, 1872, passed February 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 487 of the Laws of 1862, entitled 'An act defining and regulating the power and duties and compensation of the captain of the port and harbor-masters of the port of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend chapter 59 of the Laws of 1868, entitled 'An act to establish the office of receiver of taxes in the town of Greenburgh, in the county of Westchester, State of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 495 of the Laws of 1874, entitled 'An act in relation to certain assessments for sewers in the city of Brooklyn,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act in regard to the boundary monuments of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for raising money to provide an armory in the city of Brooklyn for the Fourteenth regiment of the National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act regulating the erection and maintenance of fire-escapes upon certain buildings, and for the better security of life in case of fire," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act supplemental to chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific, and missionary societies,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend section 6 of title 4 of chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act establishing and declaring the use of the dock and pier, at the ferry landing, on the easterly side of Front street, between Canal and Water streets, in the village of Edgewater, Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto, respectively :

"An act for the relief of the Cypress Hills Cemetery."

"An act to amend chapter 361 of the Laws of 1863, entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania.'"

"An act to authorize the county of Kings to purchase from the State of New York the State arsenal in the city of Brooklyn, as an armory, and to provide for the sale of the same by the State."

"An act to amend chapter 448 of the Laws of 1868, entitled 'An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its charter.'"

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An amend chapter 508 of the Laws of 1874, entitled 'An act to authorize the construction of a railway from Vesey street through certain streets in the city of New York to the South Ferry.'"

"An act to enlarge the board of education in Union Free School No. 6, in the town of Northfield, in the county of Richmond, and to change the name of said district, and to authorize said board of education to to sell and convey to the purchaser thereof the present school-house and site, and also to purchase a new site for a school-house in said district, and to erect thereupon a new school-house and to provide for the raising money therefor."

"An act to amend an act entitled 'An act to authorize William Hilliker to establish and maintain a ferry across the Cayuga lake at Cayuga bridge,' passed April 20, 1871."

"An act legalizing certain proceedings of a town meeting held in the town of Moriah, Essex county, on the first Tuesday of March, 1875."

"An act authorizing the common council of the city of Poughkeepsie to sell and convey certain real estate owned by said city."

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

"An act to confer power on the judges of the superior court of Buffalo to make orders in actions pending in the supreme court."

"An act to release the title and interest of the people of the State of New York in and to certain real estate of which Henry Doyle, late of the city of Auburn, in the State of New York, died seized, to Bridget Doyle, his wife."

"An act for the relief of Catharine T. Wetmore and her children."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Cole, from the committee on canals, to which was referred the concurrent resolution from the Assembly in reference to the rates of tolls on the canals to be established for the current year, reported in favor of the adoption of the resolution as follows (Mr. Kellogg dissenting):

Resolved (if the Senate concur), That the Legislature do concur in the recommendation of the Canal Board to the reduction of canal tolls, to the extent named in their schedule, transmitted to the Assembly of this State by the Auditor of the Canal Department on the 19th day of March last, and that the Legislature recommend and consent to a reduction of tolls on timber in the same ratio as on lumber.

Mr. Johnson moved that the question of agreeing to the report of the committee be made a special order for to-morrow morning at eleven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

On motion of Mr. Dow, and by unanimous consent, the Assembly bill entitled "An act to amend chapter 47 of the Laws of 1826, entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies,'" was ordered considered in the first committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend chapter 51 of the Laws of 1864, entitled 'An act in relation to the Bureau of Military Statistics.'"

Assembly, "An act to amend chapter 47 of the Laws of 1826, entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies.'"

"An act to authorize cities to provide railways for rapid transit of persons and property, and to create corporations for that purpose."

After some time spent therein the President resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Connelly, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Connelly, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was recommitted the Assembly bill entitled "An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Jacobs, and by unanimous consent, said bill was ordered considered in the first committee of the whole.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to authorize the settlement of the claims of the city of New York against the Eighth National Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

On motion of Mr. Gross, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Ray
Dayton	Johnson	Madden	Robertson
Dickinson	Laning	McGowan	Selkreg
Dow	Ledwith	Middleton	Thompson
Fox	Lord	Moore	Tobey
Gross			

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Bradley, and by unanimous consent, the Assembly bill entitled "An act to extend the time for the collection of taxes in the city of Elmira," was ordered considered in the first committee of the whole.

Mr. Madden, from the committee on railroads, to which was referred the bill entitled "An act to provide for the sale of stock and bonds of bankrupt railroad companies by municipal corporations holding the same and for the disposition of the proceeds of such stock or bonds," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Johnson, and by unanimous consent, the Assembly bill entitled "An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing highways,'" was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities."

"An act to extend the time for the collection of taxes in the city of Elmira."

"An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing highways.'"

After some time spent therein the President resumed the chair, and Mr. Dickinson, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures.'"

"An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York."

"An act to make further provision for the payment of further expenses of the local government of the city of New York."

After some time spent therein, the President resumed the chair, and Mr. McGowan, from the said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. McGowan, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to amend chapter 798 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Catholic Association of the city of Buffalo,' passed April 27, 1871."

"An act to enable the city of Yonkers to consolidate and equalize the time of payment of its bonded debt."

Assembly, "An act for the preservation of fish in any of the waters in Clinton county, except Lake Champlain."

After some time spent therein the President resumed the chair, and Mr. Middleton, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Middleton, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 590, entitled "An act to amend chapter 795 of the Laws of 1872, entitled 'An act to authorize the formation of a separate road district in the county of Essex,'" for the purpose of amendment.

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Madden, the Senate adjourned.

FRIDAY, MAY 7, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to exempt the personal property and estate of foreign corporations from seizure and levy on attachment, execution or other legal process by giving a bond," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 21 of the Laws of 1855, entitled 'An act in relation to non-resident highway taxes upon certain lands in Essex county,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 219 of the

Laws of 1871, entitled 'An act to provide redress for words imputing unceastity to a female,' passed March 29, 1871," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the right, title and interest of the people of the State of New York of, in and to certain real estate of which Thomas Thompson died seized to Mary Smith, formerly Mary Thompson, his widow," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the act entitled An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act establishing a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany, passed March 16, 1870, passed April 15, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Selkreg moved to reconsider the vote by which the bill entitled "An act to authorize cities to provide railways for rapid transit of persons and property, and to create corporations for that purpose," was passed.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Robertson
Cole	King	Madden	Selkreg
Connelly	Laning	Middleton	Thompson
Dickinson	Lord	Moore	Wood
Dow			

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On motion of Mr. Selkreg, and by unanimous consent, said bill was amended as follows :

Section 6, strike out the words "Fourth and," and insert the word "or."

After the words "Fifty-ninth street," insert the words "or the Fourth avenue."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Moore
Bradley	Dow	Ledwith	Robertson
Coe	Fox	Lowery	Selkreg
Cole	Gross	McGowan	Thompson
Dayton	Kellogg	Middleton	Wood

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled "An act to repeal sections 6, 8, 9, 10, 11, 12, 13 and 15, and the preamble of chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868, also chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said Marsh Land Company of moneys paid by them into the treasury of the State in pursuance of said chapter 864 of the Laws of 1868," with a message that they had concurred in the passage of the same, with the following amendment:

Strike out section 2, and insert in lieu thereof the following:

"§ 2. The commissioners of the Land Office are hereby authorized and empowered to examine any claim for damages of the said Marsh Land Company founded on amounts actually expended or liabilities actually incurred by said company under said acts or either of them, and report to the next Legislature."

Mr. Laning moved that said bill be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion and it was decided in the negative.

The President then put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dickinson	Laning	Ray	
Coe	Fox	Lowery	Robertson	
Cole	Gross	Madden	Selkreg	
Connelly	Jacobs	Middleton	Thompson	
Dayton	King	Moore	Wood	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof," with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, strike out lines 1 and 2, except the words "Section 1."

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Robertson
Cole	Kellogg	Madden	Selkreg
Connelly	King	McGowan	Thompson
Dayton	Laning	Middleton	Wood
Dow	Lord	Parmenter	Woodin
Gross			

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act for the preservation of fish in Chautauqua lake," with a message that they had concurred in the passage of the same, with the following amendment:

Section 3, line 9, engrossed bill, strike out all after the word "officer," down to and including the word "act," in line 11.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	Robertson
Cole	Gross	Lord	Selkreg
Connelly	Jacobs	Lowery	Thompson
Dayton	Kellogg	Middleton	Wood
Dickinson	King	Ray	Woodin
Dow			

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend chapter 807, of the Laws of 1875, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to enable the city of New York to finally settle and pay that part of the bonded debt of the late town of Yonkers apportioned to the late town of Kingsbridge," was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Robertson, and by unanimous consent, said bill was substituted for Senate bill No. 306, same title, now on calendar of general orders.

"An act to enable the city of Yonkers to consolidate and equalize the time of payment of its bonded debt," which was read the first time and by unanimous consent was also read the second time.

On motion of Mr. Robertson, and by unanimous consent, said bill was substituted for Senate bill No. 305, now on calendar of third reading of bills.

The Assembly returned the bills entitled as follows:

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to amend an act entitled 'An act to authorize William Beard and others to erect, construct, build, and maintain sea-walls or break-water piers, docks, wharves, bulk-heads, piers and warehouses, and a basin for commercial use in front of their lands in the Twelfth ward of the city of Brooklyn,' passed April 24, 1862, and also to amend an act bearing the same title, passed April 30, 1866."

"An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof."

"An act for the preservation of fish in Chautauqua lake."

"An act to define and limit the liens of contractors and others upon real estate in the city and county of New York, and to provide for the enforcement thereof."

"An act to amend the act entitled 'An act to provide for supplying the city of Hudson with pure and wholesome water,' passed May 7, 1873."

"An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto, respectively:

"An act to extend the boundaries of the city of Utica westerly."

"An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony."

"An act to extend the time for the collection of the assessments for the improvement of Fulton avenue in the town of New Lots, Kings county."

"An act to amend and consolidate the several acts relating to the city of Elmira."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same, as amended:

"An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, and the Buffalo State Asylum for the Insane."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the concurrent resolution for printing 3,000 copies of the Report of the Canal Commissioners and 200 copies of Prof. F. H. Benedict's report, with a message that they had concurred in the amendments of the Senate thereto.

Ordered, That said resolution be returned to the Assembly.

Mr. Woodin, from the committee on engrossed bills, reported as correctly re-engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to authorize William Beard and others to erect, construct, build and maintain sea-walls or break-water piers, docks, wharves bulk-heads, piers and warehouses, and a basin for commercial use in front of their lands in the twelfth ward of the city of Brooklyn,' passed April 24, 1862, and also to amend an act bearing the same title, passed April 30, 1866."

"An act to repeal sections 6, 8, 9, 10, 11, 12, 13 and 15, and the preamble of chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868; also chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said Marsh Land Company of moneys paid by them into the treasury of the State, in pursuance of said chapter 864 of the Laws of 1868.'"

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act for the preservation of fish in Chautauqua lake."

"An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof."

Also, that they have compared the following bill with the original ordered to a third reading, and find the same correctly engrossed:

"An act to amend an act entitled 'An act in relation to the Bureau of Military Statistics.'"

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to amend chapter 455 of the Laws of 1874, entitled 'An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York,' also of Clyde and Seneca rivers, in the counties of Wayne and Cayuga," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to legalize, ratify and confirm the official action of the board of assessors of the city of New York in designating the New Yorker Journal to publish notices in the year 1872, in relation to paving streets, laying crosswalks and building sewers in said city, and providing for payment for the publication of such notices," reported in favor of the passage of the same, with amendments (Messrs. Woodin and Dickinson dissenting), and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to prevent the commission of frauds in the purchase and sale of real estate in the counties of New York and Kings," reported in favor of the passage of the same (Messrs. Woodin and Dickinson dissenting), and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to provide for the payment for the use and occupation of armories and drill-rooms in the city and county of New York," reported in favor of the passage of the same (Messrs. Woodin and Dickinson dissenting), and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act authorizing the city of Buffalo to convey to adjacent land owners lands lying within the limits of certain streets, located in the south village of Black Rock, whenever any such street shall be discontinued or contracted," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city,' passed April 26, 1871," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act supplementary to the act entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of

fire commissioners of the said city,' passed April 26, 1871," and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend and consolidate the several acts relating to the city of Elmira," reported in favor of the passage of the same.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the bill entitled "An act in relation to the inspection, care and management of roads, streets and avenues in the towns in Kings county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dow, from the committee on Indian affairs, to which was referred the bill entitled "An act to amend the act for the protection and improvement of the Seneca Indians residing on the Cattaraugus and Allegany reservations in this State, passed November 15, 1847, reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The bill entitled "An act to amend chapter 51 of the Laws of 1864, entitled 'An act in relation to the Bureau of Military Statistics,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Robertson
Coe	Jacobs	Madden	Selkreg
Cole	Kellogg	Middleton	Thompson
Connelly	King	Moore	Wood
Dayton	Laning	Ray	Woodin
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to enable the city of Yonkers to consolidate and equalize the time of payment of its bonded debt," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Robertson
Coe	Kellogg	Madden	Selkreg
Cole	King	Middleton	Thompson
Connelly	Laning	Moore	Wood
Dayton	Lord	Ray	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Selkreg moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act for the better security of railroad employees for labor performed," was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Middleton
Bradley	Fox	Ledwith	Moore
Cole	Jacobs	Lord	Robertson
Dayton	Kellogg	Lowery	Selkreg
Dickinson	King	McGowan	Wood
			20

FOR THE NEGATIVE.

Madden	1
--------	---

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Laning	Ray
Bradley	Fox	Ledwith	Robertson
Cole	Gross	Lord	Selkreg
Connelly	Jacobs	Lowery	Wood
Dayton	Johnson	Middleton	Woodin
Dickinson	King	Parmenter	
			23

FOR THE NEGATIVE.

Madden	1
--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the bill entitled "An act in relation to railroad corporations," with a message that they had concurred in the passage of the same, with the following amendment :

Section 1, line 3, after the word "State," insert the words "except such as may have been organized for the purpose of constructing or operating a railroad in the city of New York or the county of Kings."

Mr. Johnson moved to concur in the amendment, except such portion as is expressed by the words "or the county of Kings."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Ray
Cole	Johnson	Lowery	Robertson
Connelly	Kellogg	Madden	Selkreg
Dow	King	Middleton	Thompson
Gross	Laning	Parmenter	Woodin
			20

Mr. Johnson moved that the Senate do non-concur in the amendment expressed by the words "or the county of Kings."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have concurred in the passage of the same, with part of their amendment.

The Assembly returned the bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" with a message that they had concurred in the passage of the same, with the following amendment:

Amend the title by striking out the words "An act," second occurring, and inserting in lieu thereof the words "chapter 291 of the Laws of 1870," and by striking out all after the word "villages."

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Bradley	Jacobs	Madden	Selkreg
Cole	King	Middleton	Thompson
Connelly	Laning	Parmenter	Wood
Dayton	Lord	Ray	Woodin
Dow			

21

FOR THE NEGATIVE.

Kellogg

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly bill entitled "An act to incorporate the Protectorate and Reformatory for Destitute Children from Oneida and adjacent counties," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Moore
Bradley	Jacobs	Lord	Ray
Coe	Johnson	Lowery	Robertson
Cole	Kellogg	McGowan	Selkreg
Dayton	King	Middleton	Woodin
Dow	Laning		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 798 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Catholic Association of the city of Buffalo,' passed April 27, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Ledwith	Middleton
Bradley	Jacobs	Lord	Parmenter
Cole	Johnson	Lowery	Ray
Connelly	Kellogg	Madden	Robertson
Dayton	Laning		

18

FOR THE NEGATIVE.

Dow	Selkreg		
-----	---------	--	--

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Parmenter
Bradley	Gross	Madden	Ray
Dayton	Jacobs	McGowan	Robertson
Dickinson	Johnson		

14

FOR THE NEGATIVE.

Cole	Kellogg	Lowery	Thompson
Connelly	Laning	Middleton	Woodin
Dow	Lord	Selkreg	

11

Mr. Jacobs moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Ray
Bradley	Johnson	Lowery	Robertson
Cole	Kellogg	Madden	Selkreg
Connelly	King	McGowan	Thompson
Dayton	Laning	Middleton	Woodin
Dickinson	Ledwith	Parmenter	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend and consolidate the several acts relating to the city of Elmira," having been announced for a third reading,

On motion of Mr. Woodin, and by unanimous consent, said bill was amended as follows:

Section 31, line 45, engrossed bill, after the word "force," strike out all down to and including the word "thereof," in line 54.

Section 159, line 2, after the word "effect," strike out the remainder of the section, and insert in lieu thereof the following: "immediately, except as herein otherwise provided, but nothing in this act contained shall be construed to alter or interfere with the term of office of any person now holding office under any law relating to the city of Elmira."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	King	Robertson
Bradley	Fox	Laning	Selkreg
Cole	Jacobs	Lord	Thompson
Connelly	Johnson	Lowery	Wood
Dayton	Kellogg	Middleton	Woodin
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Buffalo, passed April 28, 1870,'" reported in favor of the passage of the same.

On motion of Mr. Laning, and by unanimous consent, said bill was ordered to a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, amended April 25, 1871, amended January 12, 1872, amended May 22, 1872," reported in favor of the passage of the same.

On motion of Mr. Laning, and by unanimous consent, said bill was ordered to a third reading.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act in relation to the benevolent fund of the late volunteer fire department of the late town of Morrisania, now the Twenty-third ward of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The hour of 11 o'clock having arrived,

The President announced the special order, being the concurrent resolution relative to the reduction of tolls on the canals, as recommended by the Canal Board.

Mr. Gross moved that the consideration of the special order be postponed until the conclusion of the order of business of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving and embellishing the public park in said city and the approaches thereto, and providing for the payment of such bonds and the expenditure of such money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Robertson
Bradley	Jacobs	McGowan	Selkreg
Connelly	Kellogg	Middleton	Tobey
Dayton	King	Parmenter	Wood
Dickinson	Laning	Ray	Woodin
Dow	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to authorize William Beard and others to erect, construct, build and maintain sea-walls or breakwater piers, docks, wharves, bulk-heads, piers and warehouses, and a basin for commercial use in front of their lands in the Twelfth ward of the city of Brooklyn,' passed April 24, 1862, and also to amend an act bearing the same title, passed April 30, 1866," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 14, strike out "a," and insert the word "the."

Strike out section three.

The President put the question whether the Senate would concur in their amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Bradley	Fox	Lowery	Selkreg
Cole	Jacobs	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dayton	King	Parmenter	Woodin
Dickinson	Laning	Ray	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly bill entitled "An act to amend chapter 47 of the Laws of 1826, entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Johnson	Madden	Thompson
Dayton	Kellogg	Middleton	Tobey
Dickinson	King	Parmenter	Woodin
Dow	Laning	Ray	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to extend the time for the collection of taxes in the city of Elmira," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dow	Lord	Robertson
Bradley	Gross	McGowan	Selkreg
Cole	Jacobs	Middleton	Thompson
Connelly	Kellogg	Parmenter	Tobey
Dayton	King	Ray	Woodin
Dickinson	Laning		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing highways,'" was read a third time:

The President put the question whether the Senate would agree to final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Laning	Ray
Bradley	Jacobs	Lord	Robertson
Connelly	Johnson	McGowan	Thompson
Dayton	Kellogg	Middleton	Tobey
Dow	King	Parmenter	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act for the preservation of fish in any of the waters in Clinton county, except Lake Champlain," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Lord	Ray
Bradley	Gross	Lowery	Robertson
Connelly	Jacobs	McGowan	Selkreg
Dayton	Johnson	Middleton	Thompson
Dickinson	King	Parmenter	Tobey
Dow	Laning		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lord	Middleton
Bradley	Johnson	Lowery	Parmenter
Cole	Laning	Madden	Ray
Fox	Ledwith	McGowan	Tobey
Gross			

17

FOR THE NEGATIVE

Connelly	King	Selkreg	Woodin
Dow	Robertson	Wood	

7

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to prevent individuals and corporations not banking corporations from doing business under names indicating that they are incorporated banks or banking institutions," having been announced for a third reading,

Mr. Woodin moved that said bill be recommitted to the committee of the whole, and that the same be made a special order for Tuesday morning at 11 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, three-fifths of all the members elected to the Senate voting in favor thereof.

The Senate then proceeded to the consideration of the special order, being the concurrent resolution in the words following:

Resolved (if the Senate concur), That the Legislature do concur in the recommendation of the Canal Board to the reduction of canal tolls, to the extent named in their schedule, transmitted to the Assembly of of this State by the Auditor of the Canal Department on the 19th day of March last, and that the Legislature recommend and consent to a reduction of tolls on timber in the same ratio as on lumber.

Mr. Middleton moved to amend the resolution so as to except the Black River canal from the effect of the resolution.

Pending which,

Mr. Woodin moved that the further consideration of said resolution be made a special order for Tuesday next, immediately after disposing of the special order set down for that day.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Assembly returned the Assembly bill entitled "An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors," with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee on their part Messrs. Sherman, Schuyler, Faulkner, Clark, and Hepburn.

Mr. Lowery moved that a committee be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Robertson, Lowery, and Bradley.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, May 7, 1875.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill entitled "An act to regulate fishing in the waters known as Cooper's lake in the town of Woodstock, Ulster county."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Krack, and by unanimous consent, the same was amended so as to read as follows :

Section 2, lines 3 and 4, strike out the words "be guilty of a misdemeanor and shall also."

Section 3, line 2, strike out the word "their," and insert in lieu thereof the word "his."

Same section, line 6, strike out the words "enforce and."

Line 8, strike out the words "conviction and."

Same line, strike out the word "thereon," and insert in lieu thereof the words "the penalty."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk*.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Laning	Robertson
Bradley	Dow	Lord	Selkreg
Coe	Gross	Lowery	Thompson
Cole	Jacobs	McGowan	Wood
Connelly	King	Middleton	Woodin
Dayton			

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the

affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lord	Robertson
Bradley	Dow	Madden	Selkreg
Coe	Gross	McGowan	Thompson
Cole	Jacobs	Middleton	Tobey
Connelly	King	Ray	Woodin
Dayton	Ledwith		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 353, entitled "An act to amend an act to incorporate the village of New Brighton," for amendment.

By unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Also, the following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 478, entitled "An act to amend the Revised Statutes in relation to laying out public roads, and the alteration thereof," for amendment.

By unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Gross moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act to protect the owners of bottles, boxes, baskets, casks and syphons, used in the sale of soda water, mineral waters, porter, ale, cider, ginger ale, small beer, lager beer, white beer, or other similar beverages," was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Dickinson	Lowery	Robertson
Bradley	Dow	Madden	Selkreg
Cole	Gross	Middleton	Thompson
Connelly	Jacobs	Parmenter	Tobey
Dayton	Ledwith	Ray	

19

On motion of Mr. Gross, and by unanimous consent, said bill was amended as follows:

Section 2, engrossed bill, after the word "misdemeanor," in line 20, insert the words "and shall forfeit to the party aggrieved a."

Strike out the words "in the penal," and in line 21 strike out the words "one hundred," and insert the words "twenty-five."

Strike out all after the word "offense," in line 22, to the end of the section.

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Ray
Coe	Johnson	Madden	Robertson
Dayton	Laning	McGowan	Thompson
Dow	Ledwith	Middleton	Tobey
Gross	Lord	Parmenter	

19

FOR THE NEGATIVE.

Cole	Connelly	Dickinson	Selkreg
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Lowery moved to reconsider the vote by which the Assembly bill entitled "An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York," was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Cole	Gross	McGowan	Selkreg
Connelly	Kellogg	Middleton	Thompson
Dayton	King	Parmenter	Tobey
Dickinson	Ledwith	Ray	Wood
Dow	Lowery	Robertson	Woodin
Fox	Madden		

22

FOR THE NEGATIVE.

Booth	Coe	Jacobs	Laning
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4

Mr. Booth moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood moved that the consideration of the Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," be made a special order for this evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Wood moved that when the Senate adjourns it adjourn to meet this evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Jacobs, and by unanimous consent, the bill entitled "An act providing that the bridge in course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities," was announced for a third reading.

On motion of Mr. Jacobs, and by unanimous consent, said bill was amended as follows:

Section 3, line 11, after the word "mentioned," insert the words "Provided, however, that the whole amount to be paid by both cities shall not exceed eight millions of dollars; and the city of New York shall not be called upon to pay a greater sum than one million of dollars in any one year, and the city of Brooklyn not more than two millions in any one year."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Robertson
Bradley	Gross	Madden	Selkreg
Connelly	Jacobs	McGowan	Thompson
Dayton	Kellogg	Middleton	Tobey
Dickinson	King	Parmenter	Wood
Dow	Laning	Ray	Woodin
			24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. King, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to reduce the rates of ferriage on certain routes between the city of New York and the Seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferry," reported in favor of the passage of the same, with amendments (Mr. Robertson dissenting), and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town, and of the debts thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 529 of the Laws of 1874, entitled 'An act to provide increased facilities of the fire department of the town of New Lots,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend section 20 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act creating the office of Richmond county fire marshal, and prescribing his powers and duties," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Senate then went into executive session; and, after some time spent therein, the doors were opened and legislative business resumed.

The Assembly sent for concurrence a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 510, entitled "An act to amend chapter 51 of the Laws of 1871, entitled 'An act to amend the charter of the village of Warsaw, and to authorize said village to raise money to procure water and to protect said village and the property therein against loss by fire,'" for amendment.

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Dow, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M. •

The Senate again met.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

After some time spent therein, the President resumed the chair, and Mr. Connelly, from said committee, reported progress on the said bill, and asked leave to sit again.

Mr. Wood moved that the further consideration of said bill be made a special order for to-morrow morning immediately after reading the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 6, 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act in relation to the alms-house and insane asylum in the city of Albany, and the sale and purchase of real property in connection therewith," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to authorize the settlement of the claims of the city of New York against the Eighth National Bank," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the taking of certain lands in the city of Buffalo for the purpose of the continuation of Fillmore avenue from its present southerly termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was recommitted the Assembly bill entitled "An act to amend chapter 291 of the Laws of 1869, entitled 'An act to incorporate the city of Binghamton and the several acts amending the same,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend the charter of the city of Troy, passed May 3, 1870, and the acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Dickinson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the preservation of fish in River St. Lawrence, passed June 12, 1873,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

On motion of Mr. Bradley, and by unanimous consent, the committee on the affairs of cities was discharged from the further consideration of the Assembly bill entitled "An act authorizing the city of Elmira to use a portion of the Chemung canal for a public street and for other purposes," and the same was ordered to a third reading.

On motion of Mr. Ledwith, the Senate adjourned.

SATURDAY, MAY 8, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Messrs. Madden and Johnson presented remonstrances of citizens of Yates, Montgomery and Sullivan counties against reduction of tolls upon the canals; which were read and referred to the committee on canals.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to prevent and punish persons trespassing upon private lands by landing any vessel, boat, scow or other craft upon or along the shores of any of the lakes or inland waters of this State," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to prevent and punish persons trespassing upon private lands by landing any vessel, boat, scow or other craft upon or along the shores of Seneca lake," and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the estate of the infant children and heirs at law of Martha West Yale, deceased," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 59 of the Laws of 1868, entitled "An act to establish the office of receiver of taxes in the town of Greenburgh, in the county of Westchester, State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the Assembly bill entitled "An act authorizing the city of Schenectady to raise money for school purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the Assembly bill entitled "An act confirming the title of the trustees of school district number three, in the town of Amherst, in the county of Erie, to the lands and property of the Williamsville academy, in said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Jacobs moved that the consideration of the special order be postponed for fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Booth asked and obtained leave to introduce a bill entitled "An act to authorize the commissioners of the sinking fund of the city of New York to assign certain lots of ground belonging to the corporation of said city for public purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to authorize the common council of the city

of Buffalo to discontinue East street between Parish and South streets, and Dearborn street between Parish and Tonawanda streets," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Laning, and by unanimous consent, said bill was committed to the committee of whole.

By unanimous consent, Mr. Laning asked and obtained leave to introduce a bill entitled "An act to enable the Buffalo General Hospital to change the number of its trustees," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Laning, and by unanimous consent, said bill was committed to the committee of the whole.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to authorize the use of sworn copies of the minutes of stenographers of the supreme court as presumptive evidence on trials in civil actions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. King offered the following:

Resolved (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting the return to the Senate of Senate bill No. 200, entitled "An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond.'"

On motion of Mr. King, and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend chapter 455 of the Laws of 1874, entitled "An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York; also of Clyde and Seneca rivers, in the counties of Wayne and Cayuga."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

After some time spent therein the President resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of said named bill, with amendments, which report was agreed to, and the same ordered to a third reading.

Mr. Wood moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Wood, the Clerk called the roll, when the following Senators answered to their names:

Booth	Johnson	Lowery	Ray
Bradley	King	Madden	Selkreg
Coe	Laning	Middleton	Wood
Cole	Lord	Parmenter	Woodin
Connelly			

The Assembly returned the bills entitled as follows :

"An act to amend 'An act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park in or outside of the city of Binghamton, and lay out the same,' passed April 6, 1874."

"An act in relation to the Hudson River State Hospital for the Insane, at Poughkeepsie; the State Homœopathic Asylum for the Insane, at Middletown; the Buffalo State Asylum for the Insane.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act to carry into effect the command of section 7 of article 10 of the Constitution by providing for the removal of certain officers therein named, and for filling the vacancies created by such removal."

Ordered, That the Clerk deliver said bill to the Governor.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 8, 1875. }

To the Senate :

In accordance with a resolution of the Senate and Assembly, I transmit herewith, for amendment, Senate bill No. 300, entitled "An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond.'"

SAMUEL J. TILDEN.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Dayton	Ledwith	Ray	
Bradley	Jacobs	Lord	Robertson	
Coe	Johnson	Lowery	Selkreg	
Cole	King	Madden	Wood	
Connelly	Laning	Parmenter	Woodin	20

Mr. King moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cole, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize a tax of thirty-five-one-hundredths of a mill per dollar of valuation of the year 1875, for the construction of new work upon and extraordinary repairs of the canals of this State," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to authorize the construction of work upon the canals of this State" (Mr. Parmenter dissenting), and said bill was committed to the committee of the whole.

Mr. Cole moved that said bill, as amended, be printed, and the consideration of the same be made a special order for Tuesday next, May 11, after disposing of the special orders set down for that day.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to give validity to the act of the president of the board of trustees of 1874, of the village of Nelsonville, in the county of Putnam in administering the oath of office to the trustees elected at the annual election and to confirm the official acts and proceedings of officers of preceding boards," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to confirm the official acts and proceedings of the officers of the village of Nelsonville, in the county of Putnam, and authorizing the officers of said village elected at the last annual election to take the oath of office," and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers,' passed June 1, 1872, passed February 28, 1873," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to provide for the construction of sewers in the city of Yonkers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 435, Laws of 1873, entitled 'An act to amend chapter 733, Laws of 1872, entitled An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence a resolution in the words following:

Resolved, That a respectful message be sent to the Senate, requesting the return, for the purpose of amendment, of Assembly bill No. 444, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein, passed June 18, 1873."

Mr. Laning moved that the committee on the judiciary be discharged from the further consideration of said bill, and that the same be returned to the Assembly as requested.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly sent for concurrence the following resolution:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 640, entitled "An act for the preservation of fish in any of the waters in Clinton county, except Lake Champlain," for amendment.

By unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Also, the following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 553, entitled "An act to amend chapter 729 of the Laws of 1871, entitled 'An act authorizing the board of supervisors of the county of Essex to levy and assess certain taxes on certain lands in the town of Minerva, in said county,' for amendment.

By unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Also, the following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 534, entitled "An act to consolidate the Albany City Dispensary with the Albany City Homoeopathic Hospital," for amendment.

By unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Ray, the Senate adjourned until Monday evening next at half-past seven o'clock.

MONDAY, MAY 10, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of Saturday, May 8, was read and approved.

Mr. Wagner presented three remonstrances of citizens of Saratoga county against the reduction of tolls; which were read and referred to the committee on the canals.

Mr. Kellogg presented a petition of W. W. Wimet and others for the reduction of tolls on the canals; which was read and referred to the committee on canals.

Mr. Booth presented a petition of the rector, wardens and vestrymen of St. Timothy's church against the erection of the proposed abattoir at the foot of West Fifty-ninth street, New York; which was read and referred to the committee on the affairs of cities.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in regard to the boundary monuments of the State," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 42 of the Laws of 1872, entitled 'An act to authorize the election of a police jus

tice in and for the village of Flushing, Queens county, and to prescribe his duties and compensation, and regulating charges in criminal proceedings in said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary to which was referred the Assembly bill entitled "An act to legalize the acts of the several boards of health in the towns of Kings county, and in the towns of Newtown, Flushing and Jamaica, in the county of Queens," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the bill entitled "An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county," reported the same to the Senate for their consideration (Messrs. Booth and King dissenting), and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on banks, to which was referred the Assembly bill entitled "An act to authorize the formation of corporations for the safe-keeping and guarantying of personal property," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Lowery moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received and read, as follows:

IN ASSEMBLY, *May 7, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act in relation to parsonages in certain cases."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Bordwell, and by unanimous consent, the same was amended as follows:

Section 3, line 3, engrossed bill, strike out the words "same month and."

Line 4, same section, strike out the words "of the week in that month."

Lines 5 and 6, same section, strike out the words "as the first, second, third or fourth Tuesday, or other day of the week."

Line 8, same section, after the word "where," insert the words "each of."

Same line, change the word "church" to "churches," the word "congregation" to "congregations," and the word "society" to "societies."

Section 4, line 4, after the words "chairman of," insert the words "each of."

Change the word "meeting" to "meetings."

Line 7, strike out the word "the," and insert in lieu thereof the word "each."

Line 8, strike out the words "of the meeting," and insert in lieu thereof the words "thereof."

Line 14, same section, strike out the word "such," and insert in lieu thereof the word "each."

Section 5, line 1, strike out the word "electing," and insert in lieu thereof the word "meeting."

Line 2, after the word "by," insert "a."

And as amended passed, and ordered sent to the Senate for concurrence.
By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Selkreg	
Coe	Kellogg	McGowan	Wagner	
Cole	King	Parmenter	Wellman	
Dickinson	Laning	Ray	Wood	
Dow	Lowery	Robertson	Woodin	20

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Selkreg	
Coe	Johnson	McGowan	Wagner	
Cole	King	Parmenter	Wellman	
Dickinson	Laning	Ray	Wood	
Dow	Lowery	Robertson	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

Mr. King moved to take from the table the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above mentioned acts.

On motion of Mr. King, and by unanimous consent, said bill was amended as follows :

Section 1, lines 5 and 6, strike out the words "and the act amendatory of said act passed April 25, 1867," and insert in lieu thereof the words "as amended by chapter 804 of the Laws of 1867."

Amend the title by striking out the words "and the act amendatory thereof passed April 25, 1867," and insert in lieu thereof the words "as amended by chapter 804 of the Laws of 1867."

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Madden	Selkreg
Coe	Kellogg	McGowan	Wagner
Cole	King	Parmenter	Wellman
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow			

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein, as amended.

Mr. Parmenter moved that the Assembly bill entitled "An act to amend the charter of the city of Troy, passed May 3, 1870, and the acts amendatory thereof," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

By unanimous consent, Mr. Selkreg asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the aid and support of the poor in the counties of Erie, Kings and New York,' passed April 30, 1875," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wood, and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Coe	Kellogg	Madden	Wagner
Cole	King	McGowan	Wellman
Dayton	Laning	Ray	Wood
Dickinson	Lord	Robertson	Woodin
Dow			

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Ray, and by unanimous consent, the Assembly bill entitled "An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town and of the debts thereof," was ordered considered in the first committee of the whole.

Mr. Dayton moved that the Assembly bill entitled "An act to abandon the further use, by the people of the State of New York, of the buildings, lands, and premises, in the county of Albany, used as a public arsenal, and to convey said buildings, lands, and premises to the city of Albany," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Buffalo,' passed April 28, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Booth	Kellogg	McGowan	Thompson
Coe	King	Parmenter	Wagner
Cole	Laning	Ray	Wellman
Dayton	Lord	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Gross	Madden		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, amended April 25, 1871, amended January 12, 1872, amended May 22, 1872," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	Lowery	Selkreg
Coe	Johnson	Madden	Wagner
Cole	Kellogg	McGowan	Wellman
Dayton	King	Parmenter	Wood
Dickinson	Laning	Ray	Woodin
Dow	Lord	Robertson	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to amend Chapter 455 of the Laws of 1874, entitled 'An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York; also of Clyde and Seneca rivers, in the counties of Wayne and Cayuga,'" having been announced for a third reading,

Mr. Johnson moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Madden called from the table the resolution in the words following:

Resolved (if the Senate concur), That the Regents of the University, as trustees of the State Museum of Natural History, be authorized to transfer to Washington Headquarters, in Newburgh, any arms, relics or other objects of historic interest of the Revolutionary period.

Mr. King moved that said resolution be referred to the committee on joint library.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to amend the charter of the city of Troy, passed May 3, 1870, and the acts amendatory thereof"

"An act for the division of the town of Fishkill, in the county of

Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town and of the debts thereof."

"An act to abandon the further use, by the people of the State of New York, of the buildings, lands and premises in the county of Albany used as a public arsenal, and to convey said buildings, lands and premises to the city of Albany."

After some time spent therein, the President resumed the chair, and Mr. Fox, from the said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Fox, from the same committee, reported in favor of the passage of the second and last named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Booth moved that the bill entitled "An act to amend an act and the title of an act entitled 'An act to authorize the Bleecker street and Fulton Ferry Railroad Company of the city of New York, to extend their railroad tracks through certain streets and avenues in the city of New York,' passed April 11, 1873," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Laning moved that the Assembly bill entitled "An act to authorize the taking of certain lands in the city of Buffalo, for the purpose of the continuation of Fillmore avenue from its present southerly termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to authorize the taking of certain lands in the city of Buffalo for the purpose of the continuation of Fillmore avenue from its present southerly termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same."

"An act to amend an act and the title of an act entitled 'An act to authorize the Bleecker Street and Fulton Ferry Railroad Company of the city of New York to extend their railroad tracks through certain streets and avenues in the city of New York,' passed April 11, 1873."

"Assembly, An act in relation to the canals."

After some time spent therein the President resumed the chair, and Mr. Coe, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Coe, from the same committee, reported in favor of the passage of the second named bill, with amendments, the title amended by striking out, in the first line, the words "an act and," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Coe, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Fox moved that the bill entitled "An act to authorize and require the New York Elevated Railroad Company to continue and complete its railroad in the city of New York, and to regulate the construction and management thereof," be recommitted to the committee on railroads.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton, and the several acts amending the same.'"

"An act to confirm the official acts and proceedings of officers of the village of Nelsonville, in the county of Putnam, and authorizing the officers of said village elected at the last annual election to take the oath of office."

"An act to make further provision for the payment of further expenses of the local government of the city of New York."

After some time spent therein the President resumed the chair, and Mr. Wellman, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Wellman, from said committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act for the relief of Ferdinand S. Hahn."

Assembly, "An act to enable the city of New York to finally settle and pay that part of the bonded debt of the late town of Yonkers, apportioned to the late town of Kingsbridge."

"An act in relation to contracts for work upon the canals of this State."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 10, 1875. }

To the Senate :

I return herewith, without my approval, Senate bill No. 160 entitled "An act to incorporate the Rescue Hook and Ladder Company of Tonawanda, Erie county, New York."

If the members of this company wish to become incorporated they should avail themselves of the provisions of chapter 397 of the Laws of 1873, which provides fully for the incorporation of fire, hose, and hook and ladder companies.

SAMUEL J. TILDEN.

Mr. Kellogg moved that said message be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lowery moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and also to amend chapter 385 of the Laws of 1855, entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,'" and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Fox, the Senate adjourned.

TUESDAY, MAY 11, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Thompson presented two remonstrances of citizens of Chenango county against a reduction of canal tolls; which were read and referred to the committee on canals.

Mr. Wellman presented sixteen remonstrances of citizens of Allegany, Wyoming and Livingston counties against reduction of canal tolls; which were read and referred to the committee of the whole.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly bill entitled "An act to enable the city of New York to finally settle and pay that part of the bonded debt of the late town of Yonkers apportioned to the late town of Kingsbridge, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Kellogg	Middleton	Thompson
Cole	King	Parmenter	Wagner
Connelly	Laning	Ray	Wellman
Dow	Madden	Robertson	Wood
Jacobs	McGowan	Selkreg	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend an act and the title of an act entitled 'An act to authorize the Bleecker Street and Fulton Ferry Railroad Company of the city of New York to extend their railroad tracks through certain streets and avenues in the city of New York,' passed April 11, 1873."

"An act in relation to contracts for work upon the canals of this State."

The Assembly bill entitled "An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town and of the debts thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	Madden	Selkreg
Bradley	Kellogg	McGowan	Thompson
Cole	King	Middleton	Tobey
Connelly	Laning	Parmenter	Wellman
Dow	Lowery	Ray	Woodin
			20

FOR THE NEGATIVE.

Robertson 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to confirm the official acts and proceedings of officers of the village of Nelsonville, in the county of Putnam, and authorizing the officers of said village elected at the last annual election to take the oath of office," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Parmenter	Tobey
Cole	Laning	Ray	Wagner
Dow	Lowery	Robertson	Wellman
Fox	Madden	Selkreg	Wood
Gross	McGowan	Thompson	Woodin
Kellogg	Middleton		
			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the city of Elmira to use a portion of the Chemung canal for a public street, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Kellogg	Middleton	Thompson
Bradley	Laning	Parmenter	Tobey
Fox	Ledwith	Ray	Wellman
Gross	Madden	Robertson	Woodin
Johnson	McGowan	Selkreg	19

FOR THE NEGATIVE.

Cole	Dickinson	King	Wood
Connelly	Dow	Lowery	7

Mr. Cole moved to reconsider the vote by which said bill was passed, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend the charter of the city of Troy, passed May 3, 1870, and the acts amendatory thereof, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows:

FOR THE AFFIRMATIVE.

Booth	Jacobs	Lowery	Selkreg
Bradley	Kellogg	Middleton	Tobey
Cole	King	Parmenter	Wellman
Connelly	Laning	Ray	Wood
Dow	Ledwith	Robertson	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the taking of certain lands in the city of Buffalo, for the purpose of the continuation of Fill more avenue from its present southerly termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Moore	Tobey
Cole	King	Parmenter	Wagner
Connelly	Laning	Robertson	Wellman
Dickinson	Ledwith	Selkreg	Wood
Dow	Madden	Thompson	Woodin
Gross	Middleton		22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," having been announced for a third reading,

On motion of Mr. Johnson, and by unanimous consent, said bill was amended by striking out the following item :

"For the office of the State Engineer and Surveyor, for salary of clerk to index and prepare for ready reference railroad maps required by law to be placed on file in his office, one thousand eight hundred dollars, to be refunded to the treasury by the several railroad corporations of this State, in proportion to their respective gross receipts, pursuant to chapter five hundred and twenty-six of the Laws of 1855."

On motion of Mr. Woodin, and by unanimous consent, said bill was amended by inserting after the word "armory," in line 306, Senate printed bill 319, the words "thirteen hundred and thirty-six dollars and seven cents."

Also, by inserting in line 307, after the word "Auburn," the words "and walks in front of the State armory in said city."

Also, in line 308 strike out the word "auditor," and insert the word "mayor."

Mr. Woodin moved that said bill be recommitted to the committee on finance with instructions to amend the same by striking out the following item in paragraph relating to Willard Asylum.

"To finish a new group of buildings sufficient to accommodate two hundred additional patients, one hundred thousand dollars, or so much thereof as may be necessary, to be certified by the superintendent of the asylum."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wood, from the committee on finance, to which was referred the said bill, reported that they have made the amendments thereto as instructed, and have directed their chairman to report the same to the Senate.

Mr. Johnson moved that said bill be recommitted to the committee on finance, with instructions to amend by striking out the words "fifty-six," in line 520, printed bill, and insert in lieu thereof the words "seventy-five."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Lord	Parmenter	Wood	11
Fox	McGowan	Selkreg	Woodin	
Johnson	Moore	Wellman		

FOR THE NEGATIVE.

Booth	Jacobs	Middleton	Thompson	14
Connelly	King	Ray	Tobey	
Dow	Laning	Robertson	Wagner	
Gross	Lowery			

Mr. Johnson moved that said bill be recommitted to the committee on finance, with instructions to amend by striking out, in lines 549 and 550, printed bill, the words "for additions, alterations, and repairs, thirty thousand four hundred and twenty-nine dollars and eighty-seven cents."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

On motion of Mr. Lord, and by unanimous consent, said bill was amended by adding, at the end of line 550, printed bill, the following:

"For the establishment of a female department to the Western House of Refuge for Juvenile Delinquents, as provided by chapter 228 of the Laws of 1875, the sum of seventy-five thousand dollars."

Mr. Jacobs moved that said bill be recommitted to the committee on finance with instructions to amend the same as follows:

Strike out, in line 551, printed bill, the words "two hundred and seventy-five," and insert the words "one hundred and seventy-five dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	King	Robertson	
Dickinson	Jacobs	Parmenter		7

FOR THE NEGATIVE.

Bradley	Kellogg	Madden	Wagner	
Cole	Laning	Middleton	Wellman	
Connelly	Lord	Selkreg	Wood	
Dow	Lowery	Tobey	Woodin	
Johnson				17

On motion of Mr. Wood, and by unanimous consent, said bill was amended by adding, after line 604 the following:

"For the Bank Department, five thousand dollars to pay expenses of regular examinations of savings banks, the same to be refunded to the treasurer by the savings banks, in pursuance of an act entitled 'An act to conform the charters of all savings banks or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,' passed May, 1875.

On motion of Mr. Wood, and by unanimous consent, said bill was amended as follows:

Strike out, in line 584, the word "thirteen," and insert in lieu thereof the word "fourteen."

Mr. Jacobs moved that bill be recommitted to the committee on finance, with instructions to amend as follows:

Strike out all of line 582, and including the words "For the," down to and including the words "this act," in line 575, and insert in lieu thereof the following:

"For the State Homœopathic Asylum, at Middletown, for the completion of the administrative building and pavilion building, and furnishing the same, seventy thousand dollars. and for salaries of medical superintendent, assistant physician, steward, matron and all other officers, five thousand dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Madden moved that said bill be recommitted to the committee on finance, with instructions to amend by striking out the name of "Edward M. Madden," in line 587.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Johnson moved that said bill be recommitted to the committee on finance, with instructions to amend the same by striking out the following:

"The sum of one million dollars is hereby appropriated to continue the work on the new capitol building, which shall be paid by the Treasurer upon the warrant of the Comptroller, to such persons or commissioners as are authorized by law to receive and expend the same, and to be paid as the same shall be, from time to time, required for materials and labor used and employed, or that may be used and employed in the building of said new capitol."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Johnson

1

FOR THE NEGATIVE.

Booth	Gross	Madden	Selkreg
Bradley	Jacobs	Middleton	Wagner
Cole	King	Parmenter	Wellman
Connelly	Laning	Ray	Wood
Dickinson	Lord	Robertson	Woodin
Dow	Lowery		

22

Mr. Jacobs moved that said bill be recommitted to the committee on finance, with instructions to amend the same by striking out the words "two hundred," in line 663, and insert in lieu thereof the words "one hundred and fifty."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Booth	Gross	Jacobs	King
Connelly			

5

FOR THE NEGATIVE.

Bradley	Laning	Middleton	Tobey
Dickinson	Lord	Ray	Wagner
Dow	Madden	Robertson	Wellman
Johnson	McGowan	Selkreg	Wood
Kellogg			

17

On motion of Mr. Selkreg, and by unanimous consent, said bill was amended by adding, after line 713, the following:

"Payable from the college land scrip fund revenue.

"For the Cornell University, six thousand dollars."

On motion of Mr. Gross, and by unanimous consent said bill was amended by adding, at the end of line 119, the following:

"For the expenses of Hugh H. Moore in the trial of the contested election for Senator in the Eighth Senatorial district, two thousand dollars, or so much thereof as shall be necessary, to be audited and paid by the Comptroller."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Booth	Jacobs	McGowan	Thompson
Bradley	Kellogg	Middleton	Tobey
Cole	King	Parmenter	Wagner
Connelly	Laning	Ray	Wellman
Dickinson	Lord	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Gross	Madden		

26

FOR THE NEGATIVE.

Fox	Johnson	Ledwith	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return to this House, for amendment, the Assembly bill No. 530, entitled "An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its charter," passed April 29, 1868."

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Also, the following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor recalling the Assembly bill No. 388, entitled "An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons or experts," for the purpose of amendment.

Mr. Ledwith moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Laning moved that the concurrent resolution relative to the rate of tolls upon the canals be made a special order for to morrow morning immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Kellogg, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to repeal section 1 of title 6 of chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Booth, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the Regents of the University to establish examinations as to attainments in learning," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to provide for the compensation of non-resident justices sitting and acting as members of the general term of the first judicial department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Jacobs, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Robertson moved that the bill entitled "An act to authorize the discontinuance of proceedings for taking property for public use in certain cases," be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows:

"An act to revise and consolidate the several acts relative to public schools in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to alter the commissioners' map of the city of Brooklyn, and closing a part of Bushwick avenue court yard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act authorizing the city of Buffalo to take certain lands for a public park, and to provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to authorize the Board of Commissioners of Emigration to mortgage the lands of the State on Ward's Island, and to extinguish the liabilities against the said board," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act in relation to a public square in the village of Manchester, Ontario county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act in relation to the justices of the peace in the towns of Gates, Greece, and Irondequoit, in Monroe county, who reside in that part of said towns added to the city of Rochester by chapter 482 of the Session

Laws of 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release the interest of the people of the State of New York in certain real estate, of which William Grant, late of the town of Arcadia, in the county of Wayne, died seized, and authorizing his heirs at law to hold and convey the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal section 10 of chapter 398 of the Laws of 1872, entitled "An act to incorporate the Batavia Literary Association, and appropriating certain moneys thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the commissioners of highways of the town of Saratoga Springs to build a sidewalk along Union avenue, in said town," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wagner, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to amend an act entitled 'An act in relation to the pay of the officers and members of the fire department of the city of Brooklyn,' chapter 856, Laws of 1873, passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 367 of the Laws of 1873, entitled 'An act amending an act entitled An act to establish free schools in district No. 3 of the town of Flushing,' passed April 16, 1857, enlarging said district and authorizing a greater school tax therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the Regents of the University to establish examinations as to attainments in learning," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to provide for the proper drainage of lands within the corporate limits of the city and county of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act in relation to the collection of uncollected taxes in the village of Brockport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the common council of the city of Syracuse to repave Salina street in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act relative to the civil code," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to taxes on lands sold by the State, and to amend the Revised Statutes in relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to water companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act making an appropriation for the purpose of restocking the public streams of this State with speckled trout and other fish," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 521 of the Laws of 1857, entitled 'An act in relation to sewerage and drainage in the city of Brooklyn,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to confirm and legalize the acts of Deliverance Rogers as notary public of the county of Washington since March 30, in the year of our Lord 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing marshals of the city of New York to appoint deputies upon proper bonds being given, and to remove them," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act providing for the election of bay constables in the town of East Hampton, in the county of Suffolk, and to define their duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Bethlehem Mutual Insurance Association, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act relative to certain lands in the village of Flushing, devised by Silas Hicks, deceased, to his wife (since deceased) during the term of her life, and upon her decease to trustees, and to authorize the sale thereof and the disposition of the proceeds of sale, in accordance with the provisions of said will," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act entitled 'An act for the incorporation of villages,' passed April 20, 1870," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. McGowan and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same was ordered to a third reading.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the compensation of non-resident justices sitting and acting as members of the general term of the first judicial department," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tobey, from the committee on insurance, to which was referred the bill entitled "An act to regulate investments by insurance companies," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tobey, from the committee on insurance, to which was referred

the Assembly bill entitled "An act providing for the more secure storage of oil in tanks or other receptacles," reported the same to the Senate for its consideration (Mr. King dissenting), and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to facilitate the distribution of the property and effects of the American Tontine Fire Insurance Company," with a message that they had concurred in the passage of the same, with the following amendments :

Amend the title of the bill so as to read as follows :

"An act to facilitate the investment and distribution of the property, money, and effects of insurance companies."

Amend section 1 so as to read as follows :

"§ 1. Whenever any life insurance company in this State shall have been dissolved by the judgment of any court of competent jurisdiction in an action or proceeding in which a receiver shall have been appointed of the property and effects of such company for the purpose of collecting, receiving, and distributing the property and effects of said company, the Attorney-General may apply to the court in which the judgment shall have been rendered for an order upon the foot of such judgment, directing the distribution of the securities, money or other property belonging to or deposited by such company with the Insurance Department, and said court shall have the power to refer such application to inquire into and report to the court upon the allegations stated therein, and upon the filing of such report the said court may direct that the securities and property aforesaid be distributed to and among the policyholders of such company as their rights may be determined by the court upon such application; and the residue, if any, be distributed to and among the other persons having legal rights therein as the same may be established by law."

Insert the following as section 3 :

"§ 3. It shall be lawful for any life, fire or marine insurance company organized under any of the laws of this State, and transacting business in other States of the United States, to invest the funds required to meet its obligations incurred in such other States respectively in the same class of securities in those States that such corporations are by law allowed to invest in in this State, but this act shall not be construed as authorizing, nor does it permit any such corporation to loan money on mortgage upon real estate without the limits of this State and States adjacent thereto."

Change section 3 to section 4.

Mr. Tobey moved that the Senate do non-concur in the amendments of the Assembly, that a committee of conference be appointed thereon, and that the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Tobey, Robertson and Fox.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in said amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

The Assembly returned the bill entitled "An act in relation to railroad corporations," with a message that they had receded from that

portion of their amendment expressed in these words, "excepting the county of Kings."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same, as amended :

"An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above-mentioned acts."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto :

"An act to protect the owners of bottles, boxes, baskets, casks and syphons, used in the sale of soda water, mineral waters, porter, ale, cider, ginger ale, small beer, lager beer, white beer, or other similar beverages.

"An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, and by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to legalize and confirm the proceedings of the incorporation of the village of Canisteo, in the county of Steuben, and the election of the officers therein,"

"An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Rochester to the grounds of the Western New York Agricultural and Mechanical Driving Park Association in said city."

"An act to fix the rates of fare to be charged upon the New York Central and Hudson River Railroad for transporting passengers from the depot at Buffalo to the grounds of the Buffalo Driving Park Association in said city."

"An act to authorize appropriations for the poor adult blind in the city of New York, not provided for in public or private institutions."

"An act to amend chapter 320 of the Laws of 1872, entitled 'An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulk-heads and slips, in the cities of New York and Brooklyn.'"

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867, and the several acts amendatory thereof."

"An act to authorize the board of police of the city of New York to grant new trials."

"An act to amend section 238 of the Code of Procedure."

"An act to amend an act entitled 'An act to provide for the aid and support of the poor in the counties of Erie, Kings and New York,' passed April 30, 1875."

Ordered, That the Clerk deliver said bills to the Governor.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 11, 1875. }

To the Legislature :

The Constitution (article 8, section 9), declares that :

"It shall be the duty of the Legislature to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent abuses in assessments and in contracting debt by such municipal corporations."

The Convention of 1846, having exhausted its sessions in the consideration of questions upon which it acted, and finding itself unable to deal adequately with the problem of municipal government, on the day before its adjournment, charged that duty upon the Legislature. Its primary object was to protect tax-payers in the municipalities against abuses on the part of local governing officials, in taxation for local administration, in assessments for local improvements, in the contraction of municipal debts, and in the loaning of municipal credit.

Those evils had already attracted attention, though they were at that time but in the beginning of the monstrous growth to which they have now attained. In the twenty-nine years which have elapsed, the increase of population in this State has been chiefly in the cities and incorporated villages, until, at the census of 1870, those organizations embraced more than two millions, and now about two millions and four hundred thousand of our people. The course of legislation, so far from obeying the injunction of the Constitution, has been mainly in the opposite direction.

Every annual statute book has been largely occupied with enactments favoring the growth of municipal expenditure, involving taxation, assessments, the contraction of debt, and the loaning of credit. The result, so far as the cities of the State are concerned, is shown by an abstract of reports from the twenty-four cities, which have been furnished to me by the local officials, and which I herewith transmit to your honorable body.

MUNICIPAL TAXATION.

The aggregate valuation of property in these cities, subject to taxation in 1874, was \$1,569,535,074.

The aggregate of city taxation was \$36,439,121.

The aggregate county and State taxation was \$13,990,487.

The aggregate of taxation was \$50,429,609.

The aggregate debt of these cities was \$175,657,267.

Computing the taxation and debt on the population of 1870, adding twenty per cent for subsequent growth, the city taxation was \$15.57, the county and State taxation \$5.98, and the aggregate was \$21.55 for each inhabitant. The city debt was for each inhabitant \$75.80.

It must be borne in mind that the proportion of the assessed valuation of real estate to its actual value is fixed in these reports according to a standard from which there is now a large reduction. The average of the assessment is 55.43 per cent of the true value.

If the recent fall in marketable values be estimated at one-third, the rate of the assessed valuation would be eighty per cent of the actual value.

It may be presumed that the values stated in these reports have reference to real property. No allowance is made for the undervaluation of personal property.

It is probable that, in many instances, the taxation imposed upon property in cities has been from one-quarter to one-third, and by the decline of rents is now one-third, and sometimes reaches one-half the income of real estate.

In 1853, when the population of the United States numbered twenty-five millions, the whole cost of its government was under \$55,000,000. It will be seen that less than two millions and a half of inhabitants of the cities of New York pay nearly as much taxation as was imposed on twenty-five millions, about twenty years ago, for the cost of the army, navy, Indian treaties, and all other expenses of the general government.

As I remarked in my annual message: "In the decade beginning July 1, 1865, the people will have paid in taxes, computed in currency, seven thousand millions of dollars. Three-fifths were for the use of the Federal Government, and two-fifths for the State and municipal governments. It is doubtless true that some portions of the municipal expenditures were for objects not strictly governmental. But it cannot be questioned that much too large a portion of the whole net earnings of industry, and of the whole net income of society, is taken for the purpose of carrying on government in this country. The burden could more easily be borne when values were high, and were ascending. As they recede toward their former level, the taxes consume a larger quantity of the products which have to be sold in order to pay them. They weigh with a constantly increasing severity upon all business and upon all classes. They shrivel up more and more the earnings of labor. This condition of things ought to admonish us, in our respective spheres, to be as abstinent as possible in appropriations for public expenditures. If the cost of government in our country were reduced, as it ought to be, one-third, it would still be larger than a few years ago, taking account of the prices of the products, which, in order to pay that cost, we are compelled to convert into money."

CONSEQUENCES.

The burdens upon tax-payers in cities are exhibited in various ways: bills for relief by the temporary funding of floating debts; bills authorizing loans to carry on or complete permanent improvements; frequent appeals from tax-payers against the measures of local officials, so numerous that it is quite impossible to arbitrate intelligently between the contending parties, are among the incidents of the times.

The choice between the opposite evils which such cases present, is often difficult and the result unsatisfactory. Works by the localities, as by the State, which ought not to have been undertaken, or which are on a scale too expensive or extravagant, are advanced so near to completion that it is not expedient to refuse the means to finish them, or not proper to overrule the local officials without a more intelligent and assured personal judgment than is possible. It will not do to enforce the rule that loans for permanent improvements shall be accompanied by a sinking fund in many cases where there was no notice. But I have refused to sanction a bill diverting funds raised by permanent loan and not needed for its original purpose, to current expenses, and I have insisted that in funding floating debts, the loans should be but temporary, until the deficiency could be provided for by taxation.

It has been impracticable to at once inaugurate a better system. The whole subject requires a careful and thorough investigation, and the adoption of a fixed policy which shall be known to the people and to which they shall conform.

JUDICIAL REMEDIES.

It is but just to the present Legislature to say, that the three bills which it adopted with great unanimity, providing judicial remedies against frauds, affecting the public moneys or property, are of more value for the repression of the evils of municipal government than all the legislation which has taken place during the twenty-nine years in which the mandate of the Constitution, in respect to municipal administration, has remained unexecuted.

It is true they reach abuses only when extravagance and improvidence degenerate into bad faith or fraud, but they apply to every official of every city, as well as to all State, county and town functionaries.

They apply to every case in which a city official shall, with intent to defraud, wrongfully obtain, receive, convert, pay out or dispose of any public moneys, funds, credits or property. They apply to every case in which such an official shall, with like intent, by willfully paying, allowing or auditing any false or unjust claim, or in any other manner or way whatever, aid or abet any other person in wrongfully obtaining, receiving, converting, paying out or disposing of any public money, funds, credits or property. They apply also to every person who, dealing with any official, shall, with intent to defraud, wrongfully obtain, receive, convert, pay out or dispose of any such money, funds, credits or property. They sweep away the complicated technicalities by which conviction for such offenses has hitherto been embarrassed or defeated.

One of these acts provides for every such offense penalties adequate to its enormity, in imprisonment in the State prison for not less than three nor more than ten years, and a fine not exceeding five times the amount of the loss resulting from the fraudulent act. Another provides for the arrest of the person and the attachment of the property of the wrong-doer.

The third of these acts provides for the contingency that the local governing officials shall be able to exercise influence over the officer whose duty it would be to order an action for redress of such a wrong, or whose duty it would be to conduct the suit; or, where a local influence might be exercised upon the judiciary; and enables the injured tax-payer to appeal to the State for relief, and gives a method of procedure both rapid and effective.

These laws, when they come to be generally known to the people, cannot fail to exercise a very salutary restraint upon all official persons. They afford a system of remedies hitherto unknown in our jurisprudence, which for their special purposes may well be deemed comprehensive, complete and effective.

ADDITIONAL MEASURES.

Additional measures of remedy and restraint can, no doubt, be devised in the legislation for local government. The tax-payers should be invested with powers of association and organization for the purpose of investigating the doings of their local officials and enforcing publicity, and for the purpose of instituting suits in the courts to restrain and redress public wrongs, without having recourse to the ultimate resort designed for great cases, in an action by the State. They might, also, be endowed with capacity to take and execute contracts for public work, under the supervision of, and on the plans fixed by, the municipal officers.

There is no reason, for instance, why the persons taxable for the improvement of a street should not be allowed to associate, and by their own agents, execute the work for which they pay.

Even then a still broader field opens for measures of reform. To define the powers of the local governing officials in matters of expenditure, taxation, assessment, and to create an effectual responsibility of those officials to the voters of the locality, to establish official accountability on their part, to adopt the machinery most favorable to good administration — these are the objects which concern 2,400,000 of our people more deeply, perhaps, than any other question of administration that invites the public attention.

DUTY OF THE STATE.

The duty of the State to establish constitutional provisions and to enact laws protecting, as far as practicable, the inhabitants of cities from abuses of maladministration committed by the local governing officials, and preserving the rights of individual citizens and of the minority as against the majority, is undeniable. That obligation results from the relations which exist between the State, in its collective capacity, and the local divisions of the State, and between the State and the local officers. In the theory of our civil polity, the sovereignty of the State, subject only to the grants it has made to the Union, resides in the aggregate people of the whole State. All powers vested in the cities and incorporated villages, and in the municipal officers, and all powers vested in county and town officers, are theoretically delegations from the people, made by the Constitution or by laws authorized by and enacted in pursuance of the Constitution. At the same time their utility for the purposes of local administration is so recognized by the sentiments of our people that it has come to be justly considered as an obligation to make them and a right to receive them.

The powers intrusted by the State to the local officials are administrative, special, and for local objects. In the most completely developed municipality, they embrace the care of police, health, schools, street-cleaning, prevention of fires, supplying water and gas, and similar matters most conveniently attended to in partnership by persons living together in a dense community, and the expenditure and taxation money for these objects. The rights of persons, property, and the judicial systems instituted for their preservation — general legislation — government in its proper sense; these are vast domains which the functions of municipal corporations and municipal officers do not touch.

PROGRESS OF LOCAL SELF-GOVERNMENT.

The first Constitution of this State, formed in 1777, provided for the appointment and removal of all local officers by a council composed of the Governor, and four Senators chosen every year by four subdivisions of the Assembly. The system continued until it involved the selection of fifteen thousand officers — civil and military — when our population was but one-third of its present magnitude. Every year assembled in Albany, from all parts of the State, candidates and their friends, for a general scramble. The strifes of parties were intensified by personal selfishness, and aggregated in a single center. The evils of the system contributed to the calling of a convention which formed the Constitution of 1821.

That instrument substituted election by the people of the localities or appointment by the local authorities, in respect to a large share of the local officers. The question of how to disperse the appointing power, and yet preserve accountability to the State, was very thoughtfully considered by the foremost statesmen. Its solution was found in a device proposed by Daniel D. Tompkins, which was to separate the power of appointment from the power of removal. The case of the sheriff excited the most solicitude, and was elaborately discussed. It was disposed of by giving the election to the people of the county, but reserving to the State the power of removal, for cause, to be exercised by the Governor. The same method was applied to county clerks.

The Constitution of 1846 extended the system to district attorneys and coroners. It has been applied by constitutional provision or by statute to many other cases, and is now in operation as to the principal officers of the counties, probably embracing five hundred in number. A procedure has grown up in the nature of a summary trial.

The Convention of 1846 carried much farther its dispersion of the power of choosing local officers. It even allowed an election by districts of judges of the supreme court having general State jurisdiction, but it provided that they should be removable by impeachment, and also by the two Houses of the Legislature. County judges, surrogates, and all other judicial officers elected within the county, and all commissioned officers of the militia who are elective, were made removable by the Governor and Senate. Indeed, it is a characteristic peculiarity of the present Constitution to distinguish between the power of electing or appointing an officer, and the power of holding him to an account. In the words of my annual message: "It is while dispersing the one to the localities to reserve the other to the State, acting by its general representatives and as a unit; to retain in the collective State, a supervisory power of removal, in addition to whatever other accountability may result to the voters or authorities of the locality from the power to change the officer at the expiration of his term or from special provisions of law. The two ideas are not incompatible; on the contrary, each is the complement of the other. Such dispersion of the appointing power has become possible only because these devices have been invented to preserve accountability to the State."

Through all our constitutional history the tendency has been to enlarge the power of localities in the management of such local affairs as are usually intrusted to their administration.

This policy has been developed not merely by conferring the power of local election, or of appointment by local authority of the officers on whom the duties of local administration are conferred, but also by the gradual enlargement of those duties.

ITS PRINCIPLE.

The political philosophy which has inspired this policy, is founded on the theory that the individual is the best judge of whatever concerns himself exclusively. It aims to enlarge the domain of the individual conscience and judgment as much as practicable, and to limit and simplify the action of the government in the affairs of individuals. A deduction from this philosophy is, that, where individuals are associated in a city, or incorporated village, or even in those subdivisions of the State that are termed in the law *quasi* corporations, there are certain powers

of administration, mainly concerning the individuals so associated, which may be safely intrusted to their management under a proper organism, and in which they will be the best judges of the measures most wise and most adapted to their actual condition. The development of this system belongs to the sphere of practical government, and is to be worked out progressively.

Of the general truth of the theory and of the wisdom of this system, I entertain no doubt; and I have always endeavored to promote its wise application, and to try, by its principles, the measures which have been presented in its name.

ITS CONDITIONS.

The essential conditions of local self-government or home rule in respect to those powers of administration which are intrusted to the locality are:

I. That there be an organism under which the elective power of the people can act conveniently and effectively, and can exercise an actual control at one election over those who represent it in the local administration.

II. That, in voting upon the administration of local affairs, the popular attention and the popular will be freed, as far as possible, from disturbing elements, especially from complications with State and national politics.

The ancient system which exists in the country, and worked well in New York for a generation, by which municipal elections were held at a time intermediate of the annual State and national elections, has always commended itself to my judgment as of great utility and value.

III. That the popular will, as declared at the elections, should be protected, as far as possible, from the effects of undue concentration of power, patronage and the means of corrupt influence.

IV. That while the responsibility of public officers to the voting citizens be made effective, and they be made amenable to the tax-payers of the locality through the courts, accountability to the State be preserved through regular methods, so that the existence of such appeal of the minority and of individuals against the wrongs of governing officials will render unnecessary and inexcusable the frequent legislative interventions which have practically destroyed all self-government, created more local mischief than they have remedied, and have grown to be prolific of abuse and corruption in the legislative bodies.

So far from official accountability in regular forms being an abridgment of local self-government, it is the foundation on which this system can alone be built up. Arbitrary or irresponsible power finds no place in our popular system of government. The public officers are the trustees of the people. The majority are trustees for the whole, for the minority, and for each individual.

At the present time the Senate and Assembly, and the Governor, are largely occupied by attention to measures which are in the nature of appeals from the local administrative officials. Legislation is daily asked for, not merely for the purpose of enlarging or modifying the powers of those officials according to the local wants, but for overruling their judgment, correcting their errors, and redressing their wrongs. The granting or refusing of such legislation often involves questions of extreme difficulty, to investigate and decide the merits of which is quite beyond

the power of the legislative bodies, or the Governor, especially in the multitude of topics that accumulate in the closing weeks of the session.

EXPERIENCE OF THE METROPOLIS.

The most instructive chapter on the subject of municipal government which is to be found in our civic history, is the experience of our great metropolis which stands so conspicuous, not only in this State, but throughout the Union and before the world.

As great cities are rapidly growing up in other parts of the State, we may study that experience with advantage. Anterior to the Constitution of 1846, the practical governing population of this State was agricultural. Comparatively little attention had been paid to municipal government. In that instrument, while county and town systems received comparative protection, the charters of cities and incorporated villages were left almost absolutely within the control of the Legislature.

CHARTER OF 1830.

The city of New York had gone on under a simple, popular government which had many elements of great value. Substantially, the administration was conducted by the mayor and two boards of the common council, their committees, and the officers appointed by them. The elections were separate, in the spring of the year, and were annual. Popular opinion easily became effectual in controlling the policy of government. A political revolution was frequently produced by the charge of excessive expenditure on the part of the city government. The liability to change, the exposure to publicity made any elaborate and prolonged plans of plunder unsafe, if not impossible.

It is not meant that the deterioration that afterward ensued is to be ascribed wholly to the new methods of government adopted.

INJURIOUS CHANGES.

Doubtless important changes have occurred in the conditions under which the municipal government is carried on. Changes in the population — a loss of the habit of acting in city affairs, resulting from the inability to act with effect during twenty years in which the elective power of the people has been nugatory — decay of civic training forced exclusion and voluntary withdrawal from participation in local government for a generation — the absorption of the public attention in the controversies of national politics, leading to an almost total neglect of the questions of administration on which the competitions of politics formerly turned — the vast disproportion in the numerical strength of parties formed on sectional questions; these are causes which make the machinery of popular government work less favorably than before.

But it cannot be doubted that various changes, originating in a false theory of government and continuing through a series of years, by which the legislative power was very much weakened, and the spending officers became not only exempt from any regulation by the legislative bodies and practically irresponsible, but by means of their patronage acquired practical control in the government, and a complexity of system by which the elective power of the people became ineffectual — were steps in a downward progress.

INTERFERENCE WITH LOCAL GOVERNMENT.

The abuses and wrongs of the local administration which found no redress generated a public opinion under which appeals was made, in the name of reform, for relief to the legislative power at Albany; and it was found that an act could be easily contrived whereby one official could be expelled from office and, by some device, a substitute put in his place. It was found likewise that the powers of an office could be withdrawn and vested in a different officer or in a commission, the selection of which could be dictated from the State capitol.

It is the experience of human government that abuses of power follow power wherever it goes. What was at first done, apparently at least, to protect the rights of the minority or of individuals; what was first done for the sake of good government, came in a little time to be done for the purposes of interested individuals or cliques. Differing in politics as city and State did, party selfishness and ambition grasped at patronage and power, and the great municipal trust came to be the traffic of the lobbies. Institutions wholly unfit to answer any use or object of government in a civilized community, and by virtue of their structure capable of nothing but abuses growing into crimes against the communities in which they existed, such as the board of supervisors, erected in 1857, came into existence under the motive power of the division of the spoils which they partitioned between their contrivers, combining equal numbers from both parties.

CHARTER OF 1870.

The consummation of this deceptive system was in the charter of 1870, which was enacted in the name and under the pretense of restoring local self-government. It was a long document, full of minute regulations, copied from preceding laws; but its vital force and real object resided in a few sentences. It totally stripped the elective councils of all legislative power, and covered up that design by several pages, in which it enumerated ordinances the councils had, from time immemorial, power to establish, but which had never been thought worthy of mention in any previous act of legislation.

It practically vested all legislative power in the mayor, comptroller, commissioner of public works and the commissioner of parks. It vacated the offices of the existing incumbents at the end of five days, and provided for the appointment of their successors by the then existing mayor who was one of the quartet. Every device to make these four officers totally irresponsible was carefully adopted. The existing law, which had stood for many years, by which the mayor, comptroller and street commissioner had been removable by the Governor, as in the case of sheriffs was repealed. A restoration of that power of removal, as regards the mayor, was demanded in the following year, and in 1873 was accorded, with the unanimous consent of both political parties.

This charter, which practically put in abeyance the elective power of the people of the city of New York for years, and set up an oligarchy of four persons, who, aided by a subsequent amendment, had all powers of expenditure and taxation — of legislation and administration over a million people, was enacted under the pretense of restoring local self-government. It was objected at the time that those officers so appointed were, to all practical intents and purposes, a commission, just as under the system which was to be abolished, that they were, in effect, as much appointed by the State Legislature as if their names had been inserted

in the law; and that the elective power of the people was annulled, and rulers set over them without their consent.

How unanimously that charter passed — by what barter of the municipal trusts and corrupt use of municipal money — and how, within a month, the officers placed by a legislative act, without the intervention of a new election, in supreme dominion over a million of our people, divided up four millions of a pretended audit of six millions, are now matters of history. These were the fruits, not of a popular election, not of local self-government, but of the culmination of a system under which the governing officials had been practically appointed by legislative acts of the State. The device of creating a special appointing power to do what was desired by a clique or party, or was agreed upon beforehand, was not perfectly new. It had been frequently used in a smaller way.

The contagion of such practices threaten to extend to other cities. If public opinion and the state of the Constitution and laws allow it, the temptation to transfer the contest for offices from the local elections to the legislative halls will arise as often as aspirants are defeated and can expect to recover there what they have lost at home. There is no remedy but in the refusal to give to such devices the sanction of law, until constitutional provision shall give permanency to the methods of appointment and removal in municipal governments.

1873.

The charter of 1873, while it contains many provisions that are valuable, still leaves to the heads of departments the power to create offices and fix their salaries, which no one has ever thought of conferring on the Governor or the Comptroller of the State, who are properly subject to the specific and minute regulations of law; and it leaves all the power of levying taxes, spending money, contracting debt, to a large extent, and all the powers of legislation, in the hands of the mayor, comptroller, commissioner of public works, and the president of the department of taxes.

In the hands of every one of the present incumbents, we have the satisfaction to believe that the interests of the people are perfectly secure; but we ought to consider what manner of institutions shall be formed for the long future with its varied changes of official persons — whether we will continue such vast powers, having no parallel in any government.

The charter of 1873 sought to shun the defect of the charter of 1870 in respect to removals. It restored the power of the removal of the mayor by the Governor. It provided for the removal of heads of departments by the mayor, subject to the written approval of the Governor, thus establishing an artificial check upon an artificial system; aiming to secure independence except in case of official misconduct on the part of the members of the body on which it conferred such extraordinary powers; and shrinking from converting an oligarchical into a despotic system.

At the present session, various propositions have been introduced, and others have been suggested, for changing the powers and patronage of the city government. None of them have come before me for official action. No comprehensive or well-considered system has been proposed. Hasty and partial changes by laws which, however plausible on their face, cannot be judged of except through an acquaintance with the whole

mass of preceding legislation upon which they operate, and likely to produce results not foreseen by their authors, were not desirable.

In the better times of government and legislation in this State, when the traditions of popular rights were respected, the formation of a charter for a great city was a matter of deliberation. The people to be affected were fully consulted. Generally a convention of their representatives was held to consider the matter, full opportunity was given to discuss and perfect so important an instrument. The people were allowed to elect their chief officers with a knowledge beforehand of the substantial nature of the powers these officers would exercise. The idea of working a total revolution in the depositaries of governmental powers, by a legislative act, without the intervention of an election that should allow the people to say on whom new and vast powers should be conferred, would have been treated as a gross invasion of the rights of the people.

Even in restoring the legislative power to a legislative department of the city government, the new Legislature ought to be formed according to the best traditions and the best experience of American government; and the people ought to be allowed to choose it at a fresh election, and in contemplation of the new powers conferred which amount to a new creation.

I am not inclined to tamper by inconsiderate and fragmentary legislation with the government of the metropolis, or of the other great cities of the State, but I feel profoundly the necessity of attention to the structure, power and duties of those governments; and when we do constitute a new system, I am anxious that it should answer the just expectations of the people. There is no subject which to-day interests them more deeply; no subject more complicated or more difficult of solution; none which requires more thoughtful attention, more thorough discussion, to mature results with which we shall be satisfied in future years. There is no case in which it is more your duty and mine to say to those who seek changes: "You must found your claim to the advantages of political and official power upon the best promise of good government in the nature of the institutions you propose. You must accept official accountability as a condition of official trust."

I have set forth some of the evils which have followed the violation of sound principles of government in the city of New York, not only to show the wrongs to which the people of that municipality have been subjected, but also to illustrate the dangers which threaten other cities, unless we can fix sound principles in the minds of our people and make them operative in the legislative bodies or entrench them in the Constitution.

The people comprised in the cities of the State, exclusive of New York, are to-day more numerous than the inhabitants of the metropolis. They form a larger portion of the population of the State. This is exclusive of the incorporated villages.

If local self government or home rule is to be secured to them, and they are to be protected from the abuses which naturally happened earlier in New York, it must be done by the establishment of a general system, which shall be respected by the people and by their representatives. The Legislature is burdened by numerous applications for changes in local laws, the operation of which on the pre-existing mass of legislation cannot be easily ascertained. This obscurity is often a cover under which the objects of selfish individuals or cliques or partisan purposes are concealed. Every revolution of politics in the

locality or in the State is followed by efforts to change the governing power or to effect a new disposal of offices and patronage in the locality. Such demoralizing efforts could not be readily effectual, if well-defined principles of government pervaded all municipal charters. Diversities will no doubt continue to be unavoidable, but the advantages of general laws over special legislation now recognized in our political theories and maxims, should be extended, as far as practicable, to our city governments. Whatever can be accomplished by legislation to correct the evils growing out of the discordant charters which now exist, and to infuse into them general principles that shall become a guide to future legislation, ought to be done. But the only effectual remedy is in amendment of the Constitution fixing the general plan of municipal government, especially in respect to the appointing power, and at the same time establishing, on a durable basis, official accountability.

With a view of calling public attention to this subject, and of laying the foundation of a plan of legislation and of constitutional amendment, I recommend the appointment of a commission who shall report to the next Legislature the forms of such laws or constitutional amendments as are required. If you do not think it advisable to constitute such a commission, the revisors of the statutes might be instructed to collate and report upon the condition of the laws relating to the cities in aid of future action by legislation or constitutional amendment.

SAMUEL J. TILDEN.

Mr. Laning moved that said message be laid upon the table and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. 90.)

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide for the removal of obstructions from the Delaware river and certain of its branches, and to make an appropriation therefor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to further amend chapter 138 of the Laws of 1858, entitled 'An act to authorize the improving and keeping in repair a certain highway in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same in repair,' passed March 24, 1857, passed April 12, 1858," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act in relation to the collection of uncollected taxes in the village of Brockport," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on finance, to which was referred the Assembly bill entitled "An act authorizing the taxation of stockholders of life, fire and marine insurance companies," reported adversely thereto (Mr. Selkreg dissenting).

Mr. Johnson moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative :

The Assembly returned the Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," with a message that they do not concur in the amendments of the Senate thereto, request a committee of conference thereon, and had appointed as such committee on their part Messrs. Hammond, Vosburgh, W. Johnson, Alvord and Husted.

Mr. Wood moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion and it was decided in the affirmative.

The President announced as such committee Messrs. Wood, Lowery and Jacobs.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon.

Mr. Wood offered the following :

Resolved, That 100 extra copies of the proceedings of the Senate in memory of the late John Ganson, Senator of the Thirty-first district, be furnished to his successor for distribution.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly returned the Assembly bill entitled "An act to amend and consolidate the several acts relating to the city of Elmira," with a message that they had reconsidered the final vote on said bill, and had further amended the same as follows :

Line 6, section 30, strike out the words "and the violation of such ordinance or by-law is hereby declared to be a misdemeanor."

Section 159, lines 2 and 3, strike out the words "except as herein otherwise provided," and insert "January 1, 1876."

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Booth	Gross	McGowan	Thompson
Bradley	Kellogg	Middleton	Wagner
Cole	Laning	Ray	Wellman
Connelly	Ledwith	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Fox	Madden		

22

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Booth	Fox	Madden	Thompson
Bradley	Kellogg	McGowan	Wagner
Cole	King	Middleton	Wellman
Connelly	Laning	Ray	Wood
Dickinson	Ledwith	Robertson	Woodin
Dow	Lord	Selkreg	23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *May 11, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend an act to incorporate the village of New Brighton, passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872, and May 14, 1873."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Stephens, and by unanimous consent, the same was amended as follows :

Strike out section 16, and insert in lieu thereof the following :

"Section 16. The county police of the county of Richmond shall execute all lawful ordinances, by-laws, and regulations of the board of trustees of the village of New Brighton. Said trustees shall cause a certified copy of all ordinances, by-laws, and regulations to be enforced by the county police to be served upon 'the board of commissioners of police for the county of Richmond,' who shall make, from time to time, all such necessary rules and regulations for the police under their control as shall be necessary or proper for the enforcement of all such ordinances, by-laws, and regulations.

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Kellogg	Madden	Thompson
Connelly	King	McGowan	Wagner
Dickinson	Laning	Middleton	Wellman
Dow	Ledwith	Ray	Wood
Fox	Lord	Robertson	Woodin
			24

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Cole	Kellogg	Madden	Thompson
Connelly	King	McGowan	Wagner
Dickinson	Laning	Middleton	Wellman
Dow	Ledwith	Ray	Wood
Fox	Lord	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly returned the following entitled bill "An act to provide for the building of a town hall in the town of Fort Covington, in the county of Franklin," with a message that they had passed the same with the following amendments:

Section 1, line 10, after the word "house," insert the words "or hall."

Section 2, line 2, strike out the word "Philander," and insert the word "Philo."

Same section, line 6, after the word "house," insert the words "or hall."

Amend title by inserting, after the word "house," the words "or hall."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Kellogg	Madden	Thompson
Cole	King	McGowan	Wagner
Connelly	Laning	Middleton	Wellman
Dickinson	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin
Gross	Lowery	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The committee of conference, to which was referred the matters of difference between the two Houses on Assembly bill entitled "An act to provide for the appointment of a commission to investigate, consider, and report upon the disposition to be made of the lateral canals," beg leave to submit the following report:

That they have agreed to recommend that the Legislature do adopt the following bill, being an amendment of the Senate's amendment of the House bill:

"SECTION 1. It shall be the duty of the Canal Commissioners and the State Engineer and Surveyor to examine the Crooked Lake canal, the Chemung canal, the Genesee Valley canal, the Chenango canal, and the Black River canal, and their appurtenances, to take such testimony in respect to the same as they shall deem necessary or expedient; to examine all surveys, maps, reports, and documents relating to the same in the public offices; to ascertain whether any of the canals should be sold, leased or abandoned; whether any, or any portions of any, of them are necessary to be retained as feeders, and if so, in what condition and at what annual cost, and whether a sale, lease or abandonment will affect the legal rights of individuals, and if so, to what extent; and generally to report to the Canal Board on all matters incident to such disposal of

the canals as may to them seem expedient; and it shall be the duty of the Canal Board to report the evidence taken and the facts ascertained to the Legislature of eighteen hundred and seventy-six, and in the first week of the session thereof, together with their opinion as to the best disposition to be made of the said canals, the manner in which said disposition should be made, and what legislation will be necessary to carry into effect their recommendations, and the said Canal Commissioners and the State Engineer and Surveyor are hereby empowered to issue compulsory process for the attendance of witnesses and the production of papers, to administer oaths, and to examine persons under oath, in respect to such matters as they may deem necessary.

"§ 2. This act shall take effect immediately."

Your committee have further agreed to recommend that the title of the bill shall be changed so as to read as follows:

"An act to require the Canal Board to investigate, consider and report upon the disposition to be made of the lateral canals."

All which is respectfully submitted.

WM. B. WOODIN,

DAN H. COLE,

Senate Committee.

A. S. PAGE,

R. D. COLE,

THOMAS G. ALVORD,

Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Booth	Fox	Ledwith	Ray
Cole	Gross	Lowery	Robertson
Connelly	Kellogg	Madden	Wood
Dickinson	King	McGowan	Woodin
Dow	Laning	Middleton	

19

FOR THE NEGATIVE.

Bradley	Johnson	Wellman	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of special orders, being the Assembly bills entitled as follows:

"An act to authorize the construction of work upon the canals of this State."

"An act to prevent individuals and corporations not banking corporations from doing business under names indicating that they are incorporated banks or banking institutions."

After some time spent therein, the President resumed the chair, and Mr. Selkreg, from the said committee, reported in favor of the passage of said bills, with amendments, which report was agreed to, and the same ordered to a third reading.

Mr. Woodin, from the committee on engrossed bills, reported as correctly re-engrossed the following entitled bill, as amended:

"An act to provide for the building of a town house or hall in the town of Fort Covington, in the county of Franklin."

On motion of Mr. Madden, the Senate adjourned.

WEDNESDAY, MAY 12, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Jacobs presented a remonstrance of citizens of Montezuma for reduction of tolls on the canals; which was read and referred to the committee of the whole.

Mr. Tobey presented a memorial of property owners in the city of New York in relation to parade ground; which was read and referred to the committee on the affairs of cities.

Also, a memorial of the comptroller of the city of New York upon the same subject; which was read and referred to the committee on the affairs of cities.

Mr. Lowery moved that the Assembly bill entitled "An act to prevent individuals and corporations not banking corporations from doing business under names indicating that they are incorporated banks or banking institutions," be considered immediately after disposing of the special order.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

On motion of Mr. Johnson, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the construction of work upon the canals of this State," was ordered to a third reading.

Said bill having been announced for a third reading,

Mr. Lowery moved that the same be recommitted to the committee on canals, with instructions to amend the same by inserting the following:

"For the construction of two iron pipe sewers under the Erie canal in the city of Utica, at or near the lines of State and First streets, said sewers to be of sufficient capacity to carry off the sewage of said city, now discharged into the Erie canal, the sum of five thousand dollars; provided that the city of Utica shall build said sewers under the direction of the Canal Commissioner in charge of the Eastern Division, and that the cost of said sewers in excess of the sum of five thousand dollars shall be paid by the city of Utica without cost to the State."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Dayton	Ledwith	Parmenter	Wagner	
Fox	Lowery	Ray	Wellman	
Gross	McGowan	Thompson	Wood	
Kellogg	Middleton	Tobey	Woodin	16

FOR THE NEGATIVE.

Bradley	Dow	King	Robertson	
Cole	Jacobs	Laning	Selkreg	
Connelly	Johnson	Lord		11

Mr. Cole, from the committee on canals, to which was referred the said bill, reported that they had made the amendments thereto, as instructed, and directed their chairman to report the same to the Senate.

Mr. Lord moved that said bill be recommitted to the committee on canals with instructions to amend the same as follows:

Strike out the paragraph contained in lines 168 to 173, inclusive (Senate printed bill), and insert as follows:

"For constructing a culvert under the Erie canal, in the city of Rochester, the sum of three thousand dollars; provided, that the said city of Rochester shall build said culvert under the direction of the Canal Commissioner in charge of the Western Division, and that the cost of said culvert, in excess of the sum of three thousand dollars, shall be paid by the city of Rochester without recourse to the State."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Dayton				1
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FOR THE NEGATIVE.

Bradley	Gross	Lowery	Selkreg	
Cole	Jacobs	Madden	Wagner	
Connelly	King	McGowan	Wellman	
Dickinson	Laning	Middleton	Wood	
Dow	Lord	Robertson	Woodin	20

Mr. Johnson moved to reconsider the vote by which the amendment of Mr. Lowery was inserted in the bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cole	Gross	King	Robertson	
Connelly	Jacobs	Laning	Selkreg	
Dow	Johnson	Lord		11

FOR THE NEGATIVE.

Dayton	Madden	Ray	Wellman	
Dickinson	McGowan	Tobey	Wood	
Kellogg	Middleton	Wagner	Woodin	
Lowery	Parmenter			14

Mr. Johnson moved that said bill be recommitted to the committee on canals with instructions to strike out the appropriation of \$250,000 for the Champlain canal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lord	Selkreg	
Cole	Johnson	Madden	Wellman	
Connelly	King	Robertson	Woodin	
Dow	Laning			14

FOR THE NEGATIVE.

Dayton	Kellogg	McGowan	Ray
Dickinson	Ledwith	Middleton	Tobey
Fox	Lowery	Parmenter	Wood
Gross			

13

Mr. Cole, from the committee on canals, to which was referred said bill, reported that the committee have made the amendments thereto, as instructed, and have directed their chairman to report the same to the Senate.

Mr. Woodin moved that said bill be recommitted to the committee on canals, with instructions to amend the same by inserting the following paragraph:

"For the construction of a covered drain or stone sewer along the south side of the Erie canal extending from Sodus street east, through the village of Clyde, to receive and carry off the soakage and drainage water from said canal, the sum of \$5,000, or so much thereof as may be necessary; provided the Canal Board shall, upon investigation, find that the State is legally or equitably bound to construct said drain."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Woodin moved that said bill be recommitted to the committee on canals, with instructions to amend the same by inserting the following:

"For the construction of an iron bridge over the Erie canal, connecting Earl and Kent streets, in the village of Palmyra, the sum of six thousand dollars, or so much thereof as may be necessary."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Woodin moved that said bill be recommitted to the committee on canals, with instructions to amend the same by inserting the following:

"For removing obstructions from the outlet of Cayuga lake, and the channel of Seneca river between Cross lake and Montezuma, the sum of twenty thousand dollars, or so much thereof as may be necessary."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Woodin moved that said bill be recommitted to the committee on canals, with instructions to amend the same by striking out the item of \$40,000 for constructing a dam at Waterloo, contained in paragraph lines 115 to 134, inclusive, Senate printed bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Lowery	Ray	Tobey
Dow	Madden	Robertson	Wagner
Gross	Middleton	Selkreg	Wellman
Jacobs	Parmenter	Thompson	Woodin
King			

17

FOR THE NEGATIVE.

Cole	Johnson	Ledwith	McGowan
Fox	Kellogg		

6

Mr. Cole, from the committee on canals, to which was referred the said bill, reported that they had made the amendments thereto, as instructed, and directed their chairman to report the same to the Senate.

Mr. Laning moved that said bill be recommitted to the committee, on canals, with instructions to amend by inserting the following:

"The Commissioner in charge of the Western Division is hereby authorized to continue the work of protecting the canal against the encroachments of Lake Erie, between the Erie basin breakwater and Black Rock pier, to the extent necessary to preserve the work already commenced."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cole	Laning	Lord	Middleton	4
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FOR THE NEGATIVE.

Dickinson	King	Parmenter	Thompson	
Fox	Lowery	Ray	Wellman	
Gross	McGowan	Selkreg	Woodin	
Jacobs				13

Mr. Laning moved that said bill be recommitted to the committee on canals, with instructions to amend the same by inserting the following:

"For continuing the work of protecting canal against encroachments of Lake Erie between Erie Basin breakwater and Black Rock pier, the sum of forty thousand dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cole	Laning	Lord	Middleton	
Dow				5

FOR THE NEGATIVE.

Fox	King	Parmenter	Tobey	
Gross	Lowery	Ray	Wellman	
Jacobs	McGowan	Selkreg	Woodin	12

Mr. Bradley moved to reconsider the vote by which the appropriation of forty thousand dollars for the dam at Waterloo was stricken out.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Lord	McGowan	
Cole	Kellogg			6

FOR THE NEGATIVE.

Connelly	Jacobs	Middleton	Selkreg	
Dickinson	King	Parmenter	Tobey	
Dow	Laning	Ray	Wellman	
Fox	Lowery	Robertson	Woodin	
Gross				17

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Thompson
Cole	Johnson	McGowan	Tobey
Connelly	Kellogg	Middleton	Wagner
Dickinson	King	Parmenter	Wellman
Dow	Laning	Ray	Wood
Fox	Ledwith	Robertson	Woodin
Gross	Lord	Selkreg	

27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Ledwith moved that the Senate hold an executive session at ten minutes before two o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then proceeded to the consideration of the special order, being the concurrent resolution in the words following :

Resolved (if the Senate concur), That the Legislature do concur in the recommendation of the Canal Board to the reduction of canal tolls to the extent named in their schedule transmitted to the Assembly of this State by the Auditor of the Canal Department on the 19th day of March last, and that the Legislature recommend and consent to a reduction of tolls on timber in the same ratio as on lumber."

The President stated the question pending to be the amendment offered by Mr. Middleton, that the Black River canal be excepted from the operation of the resolution.

After debate,

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Dickinson	Lowery	Thompson	Wood
Dow	Middleton	Tobey	

7

FOR THE NEGATIVE

Bradley	Jacobs	Lord	Selkreg
Cole	Johnson	Madden	Wagner
Connelly	King	McGowan	Wellman
Fox	Laning	Ray	Woodin
Gross	Ledwith	Robertson	

19

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Cole	Jacobs	Lord	Selkreg
Connelly	Johnson	McGowan	Tobey
Dayton	King	Parmenter	Wagner
Fox	Laning	Robertson	Wood
Gross	Ledwith		

18

FOR THE NEGATIVE.

Bradley	Kellogg	Middleton	Wellman
Dickinson	Lowery	Ray	Woodin
Dow	Madden	Thompson	

11

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Senate then went into executive session; and, after some time spent therein, the doors were opened and legislative business resumed.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870."

Mr. Woodin, from a majority of the committee on the affairs of cities, to which was referred the bill entitled "An act relating to the repavement of streets, avenues and highways in the city of New York," reported in favor of the passage of the same, with amendments (Messrs. Woodin and Dickinson dissenting), and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the act entitled An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act establishing a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany, passed March 16, 1870; passed April 15, 1871," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to authorize the commissioners of the sinking fund of the city of New York to assign certain lots of ground belonging to the corporation of said city for public purposes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from a majority of the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to appoint commissioners to erect a city hall in and for Long Island City, and to provide for the expenses of the same," reported in favor of the passage of the same (Messrs. Woodin, Booth, and Dickinson dissenting), and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend chapter 18 of the Laws of 1862, entitled "An act to revise the charter of the city of Utica," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Syracuse to repave Salina street, in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to establish police and fire departments in the city of Utica, and place the same under the direction of the mayor of said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend chapter 495 of the

Laws of 1874, entitled 'An act in relation to certain assessments for sewers in the city of Brooklyn,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act authorizing the common council of the city of New York to reopen a part of Bloomingdale road, or Broadway, in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend the charter of the city of Brooklyn," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act for the relief of John W. Gautzer" reported adversely thereto.

Mr. Ledwith moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relative to the Civil Code," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act providing for the election of bay constables in the town of East Hampton, in the county of Suffolk, and to define their duties," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to further amend the charter of the village of Delhi," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was recommitted the bill entitled "An act in relation to the court of special sessions of the peace in and for the city and county of New York," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to police justices in the city of New York."

Mr. Woodin moved that said bill be reprinted.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act in relation to a public square in the village of Manchester, Ontario county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Madden asked and obtained leave to introduce a bill entitled "An act to amend chapter 332 of the Laws of 1868, passed April 27, 1868, and relating to the Hudson Suspension Bridge and New England Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to amend chapter 757 of the Laws of 1873, enti

tled 'An act to amend chapter 335 of the Laws of 1873, entitled An act to reorganize the local government of the city of New York,' passed April 13, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Wood, from the committee on finance, to which was referred the bill entitled "An act authorizing the appointment of centennial commissioners," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The bill entitled "An act relative to taxation and appropriations in the city of New York," having been announced for a third reading,

On motion of Mr. Woodin, and by unanimous consent, was amended as follows:

Add, at the end of section 3, the words "when such claims and accounts as aforesaid have been adjusted and settled, and if the amount of such unexpended balances of appropriations are no longer required for the purposes and objects thereof."

Amend the title so as to read as follows:

"An act relative to taxation and appropriations in the city of New York, and to provide for the payment of part of the cost of the Fourth avenue improvement from revenue bonds to be paid from taxation in 1876 instead of 1875, and to reduce the levy of 1875 accordingly."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Connelly	Jacobs	Madden	Thompson
Dayton	Kellogg	McGowan	Wagner
Dickinson	King	Middleton	Wellman
Dow	Laning	Parmenter	Wood
Gross	Lowery	Selkreg	Woodin
			20

FOR THE NEGATIVE.

Fox

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Woodin offered the following:

Resolved, That 1,000 extra copies of the reports of the committee to investigate in relation to the "supply bill" of 1874 be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Lowery moved that the Assembly bill entitled "An act to prevent individuals and corporations not banking corporations from doing business under names indicating that they are incorporated banks or banking incorporations," be made a special order for to-morrow morning immediately after reading the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Jacobs moved that a session of the Senate be held this evening at half-past seven o'clock for the consideration of general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Jacobs, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The Assembly sent for concurrence the following resolution :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 454, entitled "An act to authorize the county of Kings to purchase from the State of New York the State arsenal in the city of Brooklyn as an armory, and to provide for the sale of the same by the State," for amendment.

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to legalize the proceedings of a town meeting held at the town house, in the town of Watervliet, on the 13th day of April, 1875."

"An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled An act to prevent the adulteration of milk, and prevent the traffic in impure and unwholesome milk,' passed May 2, 1864."

"An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813."

"An act to repeal chapter 309 of the Laws of 1853, entitled 'An act relative to the common lands in the town of North Hempstead, county of Queens.'"

"An act to amend an act entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872."

"An act to amend an act entitled 'An act in relation to the salary of the supervisors of Albany county,' passed May 3, 1871."

"An act to amend an act entitled 'An act to regulate proceedings against corporations by injunctions and otherwise,' passed April 7, 1870."

"An act to provide for the building of a town house or hall in the town of Fort Covington, in the county of Franklin."

"An act in relation to railroad corporations."

"An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, as amended by chapter 804 of the Laws of 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above-mentioned acts."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled Assembly bill, with a message that they had agreed to the report of the committee of conference thereon :

"An act to require the Canal Board to investigate, consider and report upon the disposition to be made of the lateral canals."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto :

"An act to authorize the taking of certain lands in the city of Buffalo, for the purpose of the continuation of Fillmore avenue from its present southerly termination to the westerly line of the Hamburgh turnpike, and for improving and embellishing the same."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly sent for concurrence the bills entitled as follows :

"An act to amend section 67 of article 2, chapter 1, part 2, title 2 of the Revised Statutes in relation to trusts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relative to judgments entered upon forfeited recognizances in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to authorize James McAndrew to take, hold, and convey real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to provide for the construction, maintenance, and operation of local railroads in cities, towns, and villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to provide for the settlement of the floating debt of the village of Saratoga Springs, and authorizing the election of a permanent board of auditors for said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to repeal chapter 969 of the Laws of 1867, entitled 'An act in relation to inspection of steam boilers in the State of New York, except in the metropolitan police district,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the city of Buffalo to issue its bonds for the purpose of extending the supply of water to the city and its inhabitants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act authorizing and empowering the commissioners of the sinking fund of the city of New York to assign to the board of education certain property to be used for school purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to authorize the settlement of the claims of the city of New York against the Eighth National Bank," which was read the first time, and by unanimous consent was also read the second time.

Mr. Lowery moved that said bill be substituted for Senate bill No. 321 now on calendar of general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

"An act to amend chapter 389 of the Laws of 1854, entitled 'An act to amend and consolidate the laws in relation to Amsterdam village in Montgomery county,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act in relation to the police department in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to regulate pilotage for the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to regulate insurance upon property of deceased persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend chapter 676 of the Laws of 1870, entitled 'An act to incorporate the Richmond Hotel Company of Staten Island,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the sale of stock and bonds of bankrupt railroad companies by municipal corporations holding the same, and for the disposition of the proceeds of such stock or bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn to Anne Pinketon, formerly Anne Scott," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to alter and define the boundaries of the first and second commissioner districts of Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to further amend chapter 306 of the Laws of 1861, entitled 'An act to amend the act passed May 8, 1846, entitled An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to increase the powers of the common council of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 807 of the Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' passed June 18, 1873," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tobey, from the committee on insurance, to which was referred the Assembly bill entitled "An act regulating the forfeiture of life insurance policies," reported adversely thereto.

Mr. Tobey moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Madden, from the committee on railroads, to which was recommended the bill entitled "An act to authorize and require the New York Elevated Railroad to continue and complete its railroad," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Madden moved that said bill be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Madden, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize and require the New York Elevated Railway Company to continue and complete its railroad," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to enable incorporated parishes of the Protestant Episcopal denomination in the diocese of Central New York to make certain transfers of their real and personal estate," with a message that they had concurred in the passage of the same with the following amendments:

Section 1, line 3, strike out the word "denomination," and insert in lieu thereof the word "church."

Amend the title by striking out the word "denomination, and insert in lieu thereof the word "church."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Cole	Jacobs	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dayton	King	Moore	Wagner
Dickinson	Laning	Ray	Wood
Dow	Lowery	Robertson	Woodin
Gross	Madden	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *May 12, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 448 of the Laws of 1868, entitled 'An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its charter.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Pope, and by unanimous consent, the same was amended so as to read as follows :

Section 1, line 8, after the word "places," insert the word "stoves."

Add, at the end of the section, the words "or occupant thereof, which expense may be recovered against such owner or occupant ; and to designate and fix certain fire limits in or near the compact part of the village by regulating or prohibiting the construction of buildings, cornices or roofs of wood, or other material liable to fire within said fire limits."

"§ 2. This act shall take effect immediately."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Cole	Jacobs	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dayton	King	Moore	Wagner
Dickinson	Laning	Ray	Wood
Dow	Lowery	Robertson	Woodin
			24

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Thompson
Cole	Kellogg	Middleton	Tobey
Connelly	King	Moore	Wagner
Dickinson	Laning	Ray	Wood
Dow	Lowery	Robertson	Woodin
Gross	Madden	Selkreg	
			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, May 11, 1875.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 54 of the Laws of 1871, entitled 'An act to amend the charter of the village of Warsaw, and to authorize said village to raise money to procure water and to protect said village and the property therein against loss by fire.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Tewksbury, and by unanimous consent, the same was amended as follows :

Section 1, line 2, strike out the word "four," and insert in lieu thereof the word "one."

Amend the title by striking out the word "four," and inserting in lieu thereof the word "one."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Cole	Jacobs	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dayton	King	Moore	Wagner
Dickinson	Laning	Ray	Wood
Dow	Lowery	Robertson	Woodin
			24

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Cole	Kellogg	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	
			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, May 7, 1875.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 795 of the Laws of 1872, entitled 'An act authorizing the formation of a separate road district in the county of Essex.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Calkins, and by unanimous consent, the same was amended as follows:

Section 1, line 37, strike out the words "thirty-seven."

Line 40, strike out the word "three," and insert in lieu thereof the word "two."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Cole	Jacobs	Middleton	Tobey
Connelly	Kellogg	Moore	Wagner
Dayton	King	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	

23

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Cole	Kellogg	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same as amended.

A message from the Assembly was received and read, as follows:

IN ASSEMBLY, *May 11, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Kshinka, and by unanimous consent, the same was amended as follows:

Section 1, line 5, after the word "of," strike out all down to and including the word "statutes," in line 6, and insert in lieu thereof the words "chapter 319 of the Laws of 1848."

Same section, line 9, strike out all after the word "of," down to and including the word "statutes," in line 10, and insert in lieu thereof the words "chapter 319 of the Laws of 1848."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Cole	Kellogg	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	23

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Middleton	Thompson
Cole	King	Moore	Tobey
Connelly	Laning	Ray	Wagner
Dayton	Lowery	Robertson	Wood
Dickinson	Madden	Selkreg	Woodin
Dow	McGowan		22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *May 11, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act for the preservation of fish in any of the waters in Clinton county except Lake Champlain."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Bowen, and by unanimous consent, the same was amended as follows :

Section 1, line 10, strike out all after the word "shall," down to and including the word "shall," in line 11.

And as amended passed, and ordered sent to the Senate for concurrence.

By order,

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Middleton	Thompson
Coe	King	Moore	Tobey
Connelly	Laning	Ray	Wagner
Dayton	Lowery	Robertson	Wood
Dickinson	Madden	Selkreg	Woodin
Dow	McGowan		22

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Cole	Kellogg	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *May 11, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 729 of the Laws of 1871, entitled 'An act authorizing the board of supervisors of the county of Essex to levy and assess certain taxes on certain lands in the town of Minerva, in said county.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Calkins, and by unanimous consent, the same was amended as follows :

Section 1, line 13, strike out all commencing with the words "on lot," down to and including the word "cents," in line 18.

Same section, line 30, strike out all commencing with the words "on lot," down to and including the word "cents," in line 33.

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Cole	Jacobs	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	

23

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Cole	Jacobs	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read as follows :

IN ASSEMBLY, *May 11, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Badger, and by unanimous consent, the same was amended as follows :

Section 1, line 1, strike out the words "seventy-five," and insert in lieu thereof the word "sixty."

Line 3, same section, strike out the words "fifth edition."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Thompson
Cole	Kellogg	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	23

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Cole	Jacobs	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act in relation to elections in the city and county of New York, and to provide for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage thereat,' passed May 14, 1872," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, lines 1 and 2, engrossed bill, strike out the words "of the act," and insert in lieu thereof the words "chapter 675 of the Laws of 1872."

Strike out from the word "thereat," in line 6, down to and including the word "two," in line 7.

Amend the title by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 675 of the Laws of 1872."

Also by striking out all after the word "thereat."

The President put the question whether the Senate would concur in their amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Cole	Jacobs	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The committee of conference of the Senate and Assembly on the disagreeing votes of the two Houses on the bill of the Assembly (printed No. 422), entitled "An act to confer on boards of supervisors further power of local legislation and administration and to regulate the compensation of supervisors," having met, have, after full and free conference, agreed and recommended to their respective Houses as follows :

That the Assembly recede from its disagreement to the first and second amendments of the Senate, and agree to the same.

That the Assembly recede from its disagreement to the third amendment of the Senate, and agree to the same, amended so as to read as follows : "Except in the counties of Albany, Erie and Kings;" and that the Senate agree to the amendment as thus amended.

That the Assembly recede from its disagreement to the fourth amendment of the Senate, and agree to the same.

That the Assembly recede from its disagreement to the fifth amendment of the Senate, and agree to the same, amended so as to read as follows : "But in any case where a special law shall have been passed prior to the passage of this act, providing for the purchase or sale of any site or the location, erection, purchase or sale of any county building or for the care and management thereof, no action shall be had by any board of supervisors which shall interfere with the full execution of such special law;" and that the Senate agree to the amendment, as thus amended.

That the Assembly recede from its disagreement to the sixth amendment of the Senate, and agree to the same.

That the Assembly recede from its disagreement to the seventh amendment of the Senate, and agree to the same amended so as to read as follows:

"If any town, at a regular town meeting held between the first day of February, 1875, and the passage of this act, shall have elected commissioners for the purpose of building a bridge and providing money to pay for the same by the issuing of bonds or otherwise, such bonds not exceeding the amount authorized at such town meeting are hereby authorized and declared valid, but said bonds shall not be sold or otherwise disposed of for less than par; and the board of supervisors shall levy a tax on such town for the payment of such indebtedness at such times, and in such amounts as may be necessary to meet the obligations incurred by said commissioners in pursuance of instructions given by such town at the time of electing said commissioners," and that the Senate agree to the amendment as thus amended.

That the Assembly recede from its disagreement to the eighth amendment of the Senate and agree to the same, amended so as to read as follows:

"9. To authorize in any county containing an incorporated city of one hundred thousand inhabitants or upwards, when any territory adjoining such city has been mapped out in pursuance of law into streets and avenues conforming to and forming an extension of the system of streets and avenues of such city, the laying out, closing and change of line of any such street or avenue;" and that the Senate agree to the amendment as thus amended.

That the Assembly recede from its disagreement to the ninth amendment of the Senate, and agree to the same amendment, as follows:

Strike out between the tenth and eleventh subdivisions the head line "Verifying Location of Highways," and insert after the sixth subdivision the head line "Highways," and that the Senate agree to the amendment as thus amended.

That the Assembly recede from its disagreement to amendments 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of the Senate and agree to the same.

That the Assembly recede from its disagreement to the thirty-fourth amendment of the Senate and agree to the same amended so as to insert the same words after the word "determine," in line 14, page 20, of the engrossed bill, and omitting them at the close of the subdivision; and that the Senate agree to the amendment as thus amended.

That the Assembly recede from its disagreement to the thirty-fifth and thirty-sixth amendments of the Senate and agree to the same, amended so that subdivision 3 of section 7 shall read as follows:

"3. To determine after the 15th day of November, 1875, except in the county of Kings, in what newspapers, not to exceed two, the election notices issued by the Secretary of State, and the official canvass shall be published, and to fix the compensation for such publication. But in cases where such publication shall be ordered to be made in two newspapers, such papers shall be of opposite political character;" and that the Senate agree to the amendment as thus amended.

That the Assembly recede from its disagreement to the thirty-seventh, thirty-eighth, and thirty-ninth amendments of the Senate, and agree to the same.

That the Assembly recede from its disagreement to the fortieth amendment of the Senate, and agree to the same, with the following amendment:

And make section 10 section 9, and the Senate agreed to the amendment as thus amended.

R. M. SHERMAN,
G. W. SCHUYLER,
JAS. FAULKNER, JR.,
WM. H. CLARK,
A. B. HEPBURN,

Assembly Committee.

W. H. ROBERTSON,
S. S. LOWERY,
GEO. B. BRADLEY,
Senate Committee.

Mr. Dickinson moved that three hundred extra copies of said bill, as amended by the committee of conference, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act further to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the New York City Sunday School (church extension) and Missionary Society of the Methodist Episcopal church,' passed April 14, 1866; amended March 14, 1871; again amended May 18, 1872," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies to which was referred the Assembly bill entitled "An act supplemental to chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies, and the several acts amendatory thereof,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly re-engrossed the following entitled bills, as amended:

"An act to amend chapter 675 of the Laws of 1872, entitled 'An act in relation to elections in the city and county of New York, and to provide for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage thereat.'"

"An act to enable incorporated parishes of the Protestant Episcopal Church in the Diocese of Central New York to make certain transfers of their real and personal estate."

"An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above-mentioned acts."

"An act in relation to railroad corporations."

Mr. Jacobs moved to recommit the Assembly bill entitled "An act for the improvement of the navigation of the Hudson river and to make an appropriation therefor," to the committee on finance, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act making an appropriation for the purpose of re-stocking the public streams of this State with speckled trout and other fish," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Madden moved that the Assembly bill entitled "An act to authorize and require the New York Elevated Railroad Company to continue and complete its railroad in the city of New York, and to regulate the construction, operation and management thereof," be substituted for Senate bill No. 149, same title, upon calendar of general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Bradley moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act authorizing the city of Elmira to use a portion of the Chemung canal for a public street and for other purposes," was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Bradley then withdrew the motion to reconsider said vote.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to authorize and require the New York Elevated Railroad Company to continue and complete its railroad in the city of New York, and to regulate the construction, operation, and management thereof."

"An act to provide for the election of police justices in villages."

"An act to authorize the formation of corporations for the safe-keeping and guarantying of personal property."

After some time spent therein the President resumed the chair, and Mr. Tobey, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Tobey, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Fox, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the settlement of the claims of the city of New York against the Eighth National Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Thompson
Dayton	King	Madden	Tobey
Dickinson	Laning	McGowan	Wagner
Dow	Ledwith	Middleton	Wellman
Fox	Lord	Robertson	Wood

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend chapter 389 of the Laws of 1854 entitled 'An act to amend and consolidate the laws in relation to Amsterdam village in Montgomery county,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to provide for the settlement of the floating debt of the village of Saratoga Springs and authorizing the election of a permanent board of auditors for said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Wagner asked and obtained leave to introduce a bill entitled "An act to provide for a fee bridge across the outlet of Lake Saratoga and the laying out, constructing and grading the avenues or approaches thereto and the extinguishment of all rights, title and interest of the stockholders in the present toll-bridge over said outlet near Moon's Lake House," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Johnson, and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Lowery	Thompson
Dayton	King	Madden	Tobey
Dickinson	Laning	McGowan	Wagner
Dow	Ledwith	Middleton	Wellman
Fox	Lord	Robertson	Wood
Gross			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act, to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Robertson
Dayton	Johnson	Lowery	Thompson
Dickinson	King	Madden	Wagner
Dow	Laning	McGowan	Wellman
Fox	Ledwith	Middleton	Wood

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Lowery, and by unanimous consent, the Assembly bill entitled "An act to provide houses of detention in the several counties in this State, for the safe-keeping and proper care of women and children charged with offenses and held for trial, and also for the detention of all persons held as witnesses," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to provide houses of detention in the several counties in this State, for the safe-keeping and proper care of women and children charged with offenses and held for trial, and also for the detention of all persons held as witnesses."

"An act relating to lands in the old military tract sold by the State Engineer and Surveyor."

"An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water.'"

After some time spent therein the President resumed the chair, and Mr. Madden, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Madden, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson offered the following:

Resolved, That hereafter the Clerk continue the call of general orders from day to day in their order on the calendar until the whole number on the calendar is exhausted.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act in relation to habitual drunkards, vagrants, and prostitutes in the city of Buffalo."

"An act to authorize the Regents of the University to establish examinations as to attainments in learning."

Assembly, "An act authorizing the board of engineers of the Fourth avenue improvement to alter the plan for crossings at and between Fifty-first and Fifty-third streets in the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Fox, from the said committee, reported in favor of the passage of the first named bill, with amendments, the title amended by striking out the words "city of Buffalo," and inserting the words "county of Erie," which report was agreed to, and said bill ordered to a third reading.

Mr. Fox, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Fox, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to amend chapter 385 of the Laws of 1871, entitled 'An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Newtown, Queens county.'"

"An act releasing the interest of the State in certain lands of which Mary Ann Thompson died possessed to Christopher G. Mason.

"An act supplementary to an act entitled 'An act to incorporate The Manhattan Loan and Trust Company, of the city of New York,' passed June 26, 1873."

After some time spent therein, the President resumed the chair, and Mr. Dow, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. King moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Dow, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Fox moved that the Assembly bill entitled "An act authorizing and empowering the commissioners of the sinking fund of the city of New York to assign, to the board of education, certain property to be used for school purposes," be substituted for Senate bill No. 313, now on calendar of general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to further amend the charter of the village of Delhi."

"An act in relation to the benevolent fund of the late volunteer fire department of the late town of Morrisania, now the Twenty-third ward of the city of New York."

"An act to authorize the reduction of the capital stock of the New York Loan and Indemnity Company in the city of New York, and to change its corporate name."

After some time spent therein, the President resumed the chair, and Mr. McGowan, from said committee, reported progress on the first and second named bills, and asked leave to sit again.

Mr. Thompson moved that the committee of the whole be discharged from the further consideration of the first named bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gross moved that the committee of the whole be discharged from the further consideration of the second named bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McGowan, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend an act entitled 'An act to amend the act for the protection and improvement of the Seneca Indians, residing on the Cattaraugus and Allegany reservations in this State,' passed November 15, 1847."

"An act in relation to the Merchants' Loan Company."

"An act in relation to the floating debt of the village of Edgewater."

After some time spent therein the President resumed the chair, and Mr. Thompson from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Thompson, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Fox, the Senate adjourned.

THURSDAY, MAY 13, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

The President presented a communication from Gen. John Newton, respecting certain improvements of the channel between Staten Island and New Jersey; which was read, and

On motion of Mr. Jacobs, the same was ordered to be returned to Gen. Newton.

By unanimous consent, Mr. Wagner asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of Building, Mutual Loan and Accumulating Fund Association,' passed April 10, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Fox asked and obtained leave to introduce a bill entitled "An act to authorize coroners of the county of New York to employ a stenographer in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act regulating the slaughter of animals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Middleton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Watertown,' passed May 8, 1869, and chapter 452 of the Laws of 1870, and chapter 810 of the Laws of 1871 amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the Merchants' Loan Company."

"An act in relation to the floating debt of the village of Edgewater."

The Assembly bill entitled "An act for the relief of Ferdinand S. Hahn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Middleton	Thompson
Cole	Kellogg	Moore	Wagner
Connelly	King	Parmenter	Wellman
Dayton	Laning	Ray	Wood
Dickinson	Lowery	Robertson	Woodin
Dow	Madden	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and also to amend chapter 385 of the Laws of 1855, entitled 'An act to incorporate the Fire Department of the Village of Rome, Oneida county,'" having been announced for a third reading,

On motion of Mr. Lowery, and by unanimous consent, said bill was amended by striking out sections 2 and 28.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Kellogg	McGowan	Selkreg
Cole	King	Middleton	Thompson
Connelly	Laning	Moore	Wagner
Dayton	Lord	Parmenter	Wellman
Dickinson	Lowery	Ray	Wood
Dow	Madden	Robertson	Woodin
Gross			

25

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton, and the several acts amending the same,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Thompson
Cole	Kellogg	Madden	Wagner
Connelly	King	Ray	Wellman
Dayton	Laning	Robertson	Wood
Dickinson	Lord	Selkreg	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie," having been announced for a third reading,

On motion of Mr. Laning, and by unanimous consent, said bill was amended as follows :

Section 1, line 4, strike out the words "or shall appear."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Selkreg
Cole	Kellogg	Middleton	Thompson
Connelly	King	Moore	Wagner
Dayton	Laning	Parmenter	Wellman
Dickinson	Lord	Ray	Wood
Dow	Lowery	Robertson	Woodin
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to contracts for work upon the canals of this State," having been announced for a third reading,

Mr. Woodin moved that said bill be recommitted to the committee on canals, retaining its place in the order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the commissioners of highways of the town of Saratoga Springs to build a sidewalk along Union avenue, in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Cole	Kellogg	McGowan	Thompson
Connelly	King	Middleton	Wagner
Dayton	Laning	Parmenter	Wellman
Dickinson	Lord	Ray	Wood
Dow	Lowery	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to abandon the further use, by the people of the State of New York, of the buildings, lands and premises in the county of Albany used as a public arsenal, and to convey said buildings, lands and premises to the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Kellogg	McGowan	Selkreg
Cole	King	Middleton	Thompson
Connelly	Laning	Moore	Wagner
Dayton	Lord	Parmenter	Wellman
Dickinson	Lowery	Ray	Wood
Dow	Madden	Robertson	Woodin
Gross			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize and require the New York Elevated Railroad Company to continue and complete its railroad in the city of New York, and to regulate the construction, operation, and management thereof," having been announced for a third reading,

Mr. Johnson moved that said bill be recommitted to the committee on railroads, with instructions to amend as follows :

Strike out, in lines 10 and 11, engrossed bill, the words "except that on places south of Ninety-ninth street."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Dayton	King	McGowan	Thompson
Gross	Ledwith	Middleton	Woodin
Johnson	Lowery		

10

FOR THE NEGATIVE.

Bradley	Fox	Moore	Tobey
Coe	Jacobs	Parmenter	Wagner
Connelly	Laning	Ray	Wellman
Dickinson	Lord	Robertson	Wood
Dow	Madden		

18

Mr. Johnson moved that said bill be recommitted to the committee on railroads, with instructions to amend by inserting the words "and above

Ninety-ninth street the road shall be constructed on such grade, or elevations above grade, as shall be approved by the mayor and superintendent of public works."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.			
Dayton	King	McGowan	Selkreg
Gross	Ledwith	Middleton	Woodin
Johnson	Lowery		
			10

FOR THE NEGATIVE.			
Bradley	Dow	Madden	Thompson
Coe	Fox	Moore	Tobey
Cole	Jacobs	Parmenter	Wagner
Connelly	Laning	Ray	Wellman
Dickinson	Lord	Robertson	Wood
			20

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.			
Bradley	Fox	Moore	Thompson
Coe	Jacobs	Parmenter	Tobey
Connelly	Laning	Ray	Wagner
Dickinson	Lord	Robertson	Wellman
Dow	Madden	Selkreg	Woodin
			20

FOR THE NEGATIVE.			
Dayton	King	Lowery	Middleton
Gross	Ledwith	McGowan	Wood
Johnson			
			9

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the election of police justices in villages," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.			
Bradley	Jacobs	McGowan	Robertson
Coe	King	Middleton	Thompson
Connelly	Ledwith	Moore	Wellman
Dow	Lowery	Parmenter	Wood
Gross	Madden	Ray	Woodin
			20

FOR THE NEGATIVE.		
Cole	Selkreg	2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the formation of corporations for the safe-keeping and guarantying of personal property," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Parmenter	Wagner
Cole	King	Ray	Wellman
Dayton	Ledwith	Robertson	Wood
Dow	Middleton	Thompson	Woodin
Gross			

17

FOR THE NEGATIVE.

Connelly

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide houses of detention in the several counties in this State for the safe-keeping and proper care of women and children charged with offenses and held for trial, and also for the detention of all persons held as witnesses," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Middleton	Thompson
Coe	King	Parmenter	Wagner
Cole	Ledwith	Ray	Wellman
Connelly	Lord	Robertson	Wood
Dow	Lowery	Selkreg	Woodin
Gross			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act relating to lands in the old military tract sold by the State Engineer and Surveyor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Kellogg	Moore	Thompson
Cole	King	Parmenter	Tobey
Connelly	Ledwith	Ray	Wagner
Dayton	Lord	Robertson	Wellman
Dow	McGowan	Selkreg	Wood
Gross	Middleton		

22

FOR THE NEGATIVE.

Jacobs

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Selkreg
Coe	Johnson	Middleton	Thompson
Cole	King	Parmenter	Wagner
Connelly	Laning	Ray	Wellman
Dickinson	Lord	Robertson	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 385 of the Laws of 1871, entitled 'An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Newtown, Queens county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Laning	Robertson
Coe	Gross	Madden	Selkreg
Cole	Jacobs	Middleton	Wagner
Connelly	Johnson	Parmenter	Wellman
Dickinson	King	Ray	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act supplementary to an act entitled 'An act to incorporate The Manhattan Loan and Trust Company, of the city of New York,' passed June 26, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Ray
Jacobs	Lord	Parmenter	Wellman

8

FOR THE NEGATIVE.

Coe	Dickinson	Middleton	Selkreg
Cole	Dow	Robertson	Wagner
Connelly			

9

Mr. Lord moved to reconsider the vote by which said bill was lost and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to further amend the charter of the village of Delhi," was read a third time.

The President put the question whether the Senate would agree to final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Middleton	Thompson
Coe	Johnson	Parmenter	Wagner
Cole	King	Ray	Wellman
Connelly	Laning	Robertson	Wood
Dickinson	Lord	Selkreg	Woodin
Dow	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the benevolent fund of the late volunteer fire department of the late town of Morrisania, now the Twenty-third ward of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dickinson	Madden	Selkreg
Coe	Dow	Middleton	Thompson
Cole	Jacobs	Moore	Wagner
Connelly	King	Parmenter	Wellman
Dayton	Laning	Robertson	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act releasing the interest of the State in certain lands of which Mary Ann Thompson died possessed to Christopher G. Mason," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Madden	Selkreg
Coe	Jacobs	Middleton	Thompson
Cole	Johnson	Moore	Wagner
Connelly	King	Parmenter	Wellman
Dayton	Laning	Ray	Wood
Dickinson	Lord	Robertson	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the reduction of the capital stock of The New York Loan and Indemnity Company, in the

city of New York, and to change its corporate name," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Parmenter	Thompson
Cole	King	Ray	Wagner
Dayton	Laning	Robertson	Wellman
Dickinson	Middleton	Selkreg	Wood
Dow	Moore		

18

FOR THE NEGATIVE.

Coe

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the floating debt of the village of Edgewater," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Middleton	Thompson
Coe	Gross	Moore	Wagner
Cole	Jacobs	Parmenter	Wellman
Connelly	King	Ray	Wood
Dayton	Laning	Robertson	Woodin
Dickinson	Madden	Selkreg	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Merchants' Loan Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Middleton	Thompson
Coe	Gross	Moore	Wagner
Cole	Jacobs	Parmenter	Wellman
Connelly	King	Ray	Wood
Dayton	Laning	Robertson	Woodin
Dickinson	Madden	Selkreg	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Wood moved that the evening session for this day be dispensed with, and that a session of the Senate be held to-day at four o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King moved that the Assembly bill entitled "An act to authorize the Regents of the University to establish examinations as to attain-

ments in learning," be substituted for Senate bill No. 308, same title, now on the order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	Ray
Coe	Gross	Madden	Robertson
Cole	Jacobs	Middleton	Wagner
Connelly	Johnson	Moore	Wellman
Dayton	King	Parmenter	Wood
Dow			

21

FOR THE NEGATIVE.

Selkreg

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the act for the protection and improvement of the Seneca Indians, residing on the Cattaraugus and Allegany reservations in this State,' passed November 15, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Jacobs	Middleton	Wagner
Connelly	Johnson	Moore	Wellman
Dayton	King	Ray	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly returned the bill entitled "An act to authorize cities to provide railways for rapid transit of persons and property, and to create corporations for that purpose," with a message that they had concurred in the passage of the same, with the following amendments:

Add at end of section 1, subdivision 2, engrossed bill, the words "and to acquire, if necessary, the consent specified by section 18 of article 3 of the Constitution of this State."

Add as subdivision 8 to section 1 the following:

"8. To designate in what manner and through what streets elevated rapid transit railways now in operation in any such city may connect with other rapid transit or steam railways, or the depots thereof, and with steam ferries; and when any such route or routes shall be so designated, such rapid transit railway or other company may construct such

connection, with all the rights, and with like effect as though the same had been a part of the original route of such railway."

Add, as subdivision 9, to section 1, the following:

"Nothing in this act contained will be held to authorize the formation of a street railroad on or along the surface of any street, road or avenue in any of the cities of this State upon which a street railroad has been constructed or heretofore authorized to be constructed, or to place the piers or supports of any elevated rapid transit railway on any part of the tracks of said street railroad."

Section 3, after the word "railway," in line 7, engrossed bill, insert the words "and the consent required by section 18 of article 3 of the Constitution of this State, if necessary."

Section 6, line 4, after the word "act," insert the words "in the city of Buffalo or."

Same section, line 7, after the word "avenue," insert the words "above Forty-second street."

Mr. Jacobs moved that said bill be recommitted to the committee on railroads, with instructions to report to-morrow morning, and that the bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act in relation to the State prisons and penitentiaries of this State," with a message that they had concurred in the passage of the same, with the following amendments:

Page 2, section 1, line 2, strike out the word "shall," and insert in lieu thereof the word "may."

Same page, line 13, after the word "probation," insert the words "fail to receive the pardon of the Governor."

Page 3, line 19, strike out the word "shall," and insert in lieu thereof the word "may."

Page 4, line 14, change the word "the" to "this," and strike out the words "next succeeding."

Same page, line 33, before the words "The Governor," commence new section number "§ 4."

Change the number of the succeeding sections to correspond.

The President put the question whether the Senate would concur in their amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Robertson
Cole	Gross	McGowan	Selkreg
Connelly	King	Middleton	Thompson
Dayton	Laning	Moore	Tobey
Dickinson	Ledwith	Ray	Wellman
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the Assembly bill entitled "An act to authorize a tax of thirty-five-one-hundredths of a mill per dollar of valuation of the year 1875 for the construction of new work upon and extraordi-

nary repairs of the canals of this State," with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee on their part Messrs. Page, Davis, Hogan, Alvord and W. Miller.

Mr. Cole moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative :

The President announced as such committee Messrs. Cole, Connelly and Johnson.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference thereon.

The Assembly returned the bill entitled "An act to facilitate the distribution of the property and effects of the American Tontine Life Insurance Company," with a message that they have assented to a committee of conference upon said bill, and have appointed as such committee, on their part, Messrs. Husted, Oakley, Faulkner, Calkins, and W. Johnson.

The Assembly sent for concurrence a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of the Assembly bill No. 464, entitled "An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town and of the debts thereof," for amendment.

By unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to reduce rates of ferriage on certain ferry routes between the city of New York and the seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Ray
Coe	Gross	McGowan	Thompson
Cole	Jacobs	Middleton	Wellman
Dayton	King	Moore	Wood
Dickinson	Laning	Parmenter	

19

FOR THE NEGATIVE.

Selkreg

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Wood, and by unanimous consent, the Assembly bill entitled "An act to authorize the common council of the city of Syracuse to repave Salina street in said city," was ordered considered in the first committee of the whole.

The bill entitled "An act to amend an act and the title of an act entitled 'An act to authorize the Bleecker Street and Fulton Ferry Railroad Company of the city of New York, to extend their railroad tracks through certain streets and avenues in the city of New York,' passed April 11, 1873," having been announced for a third reading,

On motion of Mr. Woodin, and by unanimous consent, said bill was amended as follows:

Insert, as section 2, the following:

"§ 2. Any railroad company is hereby authorized to take a lease of all or any portion of said railroad and extensions, provided the stockholders of the Bleecker Street and Fulton Ferry Railroad Company holding a majority of the stock of said company shall assent thereto."

Make section 2 section 3.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Moore	Thompson
Coe	King	Parmenter	Wagner
Dayton	Laning	Ray	Wellman
Dickinson	Madden	Robertson	Wood
Dow	McGowan	Selkreg	Woodin
Gross	Middleton		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read, as follows:

IN ASSEMBLY, May 12, 1875.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to authorize the county of Kings to purchase from the State of New York the State arsenal, in the city of Brooklyn, as an armory, and to provide for the sale of the same by the State."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Kennaday, and by unanimous consent, the same was amended as follows:

Amend section 4 by striking out, in line 3, the words "two-thirds," and inserting in lieu thereof the word "majority."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk*.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Bradley	King	Moore	Wagner
Dayton	Lowery	Parmenter	Wellman
Dickinson	McGowan	Ray	Wood
Dow	Middleton	Thompson	Woodin
Jacobs			

17

Mr. Jacobs moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of special orders, being the Assembly bills entitled as follows:

"An act to prevent individuals and corporations not banking corporations from doing business under names indicating that they are incorporated banks or banking institutions."

"An act to authorize the common council of the city of Syracuse to repave Salina street in said city."

After some time spent therein the President resumed the chair, and Mr. Dayton, from said committee, reported progress on said bills, and asked leave to sit again.

Mr. Lowery moved that the committee of the whole be discharged from the further consideration of the first named bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Dickinson	Johnson	Lord	Moore
Fox	King	Lowery	Ray
Gross	Ledwith	Middleton	

11

FOR THE NEGATIVE.

Bradley	Dow	Selkreg	Wellman
Cole	Kellogg	Thompson	Wood
Connelly	McGowan	Wagner	Woodin

12

The President then put the question whether the Senate would grant leave to sit again, and it was decided in the affirmative.

Mr. Wood moved that the committee of the whole be discharged from the further consideration of the last named bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act in relation to the county treasurers of the counties of Monroe, Seneca, Ontario, Yates, Westchester, Rockland, Putnam, Dutchess, and Columbia," with a message that they had concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause, and insert the following:

"SECTION 1. It shall be the duty of the board of supervisors of the county of Monroe of this State to designate, by resolution, at every annual or any special session thereof, such duly incorporated bank, banks or banking institutions known to be good and reliable in said county, for

the deposit of all moneys received by the treasurer of said county, which bank, banks or banking institutions shall be required to pay such a rate of interest per annum, on the balance of money so deposited, as shall be agreed upon by and with the board of supervisors, and shall credit, every six months, the accrued interest to the account to which it may properly belong; and such treasurer is required to deposit in such bank or banks, daily, or as often as shall be required by said board, not less than once in each week, all such moneys received by him as such treasurer.

"§ 2. The bank, banks or banking institutions so designated shall, before receiving any such deposits, execute and deliver to such board of supervisors good and sufficient bonds, with two or more sureties, to be approved by the said board, and in such penalty as the said board shall fix, conditioned for the safe-keeping and payment on the order or warrant of said treasurer, or of the State Treasurer, countersigned by the Comptroller of such deposits, or for the payment of such bonds or coupons as by their terms are made payable at a bank or banks, and for the payment of which a deposit shall be made by such treasurer, which bond or bonds shall be filed with the clerk of said county.

"§ 3. Such county treasurer shall draw the moneys thus deposited only for the payment of claims ordered to be paid by the board of supervisors or other lawful authority; and if such treasurer shall draw any of such moneys, or appropriate the same for any other purpose, it shall be deemed malfeasance in office, and sufficient cause for removal in the manner herein provided."

"§ 4. The governor is hereby authorized to remove such county treasurer from office, and to declare such office vacant, whenever it shall appear that said treasurer has misappropriated any of the funds or securities which have been or shall be received by him or shall neglect to deposit, as herein required, all moneys received as such treasurer, or has been guilty of malfeasance, upon giving such officer a copy of the charges against him, or, by leaving the same at his last place of residence and an opportunity of being heard in his defense. And the board of supervisors of said county, at the annual or any special meeting thereof, is hereby authorized to appoint, by ballot, a treasurer to fill such vacancy."

"§ 5. The treasurer so appointed shall hold his office, subject to be removed as herein provided, until his successor shall be elected at the next general election occurring after such removal, or vacancy, and shall have duly qualified."

"§ 6. Such treasurer, whether elected or appointed, shall receive for his services, as such treasurer, an annual salary, to be fixed by the board of supervisors. He shall not receive to his use any interest, fees or other compensation for his services as such treasurer, except in proceedings for sale of land for sale of unpaid taxes, as may be now provided for by law. But such board of supervisors may authorize the appointment by such treasurer of a clerk or such other assistants in his office, as may be deemed necessary by such board, the salary or other compensation of such clerks or assistants to be fixed and determined by such board, and to be a county charge."

"§ 7. Such county treasurer shall, also, at the time or times required under the first section of this act, make a special deposit, to the credit of the State Treasurer, in the bank or banks designated as aforesaid, of all moneys collected on account of the 'State tax,' in the said county, and paid over to him as such treasurer, and shall, on or before the fifth day of each month, until the full quota of State taxes, due from said

county for the year, shall be thus deposited, transmit to the Treasurer and Comptroller a true statement of the amount of such deposits. Such county treasurer shall also furnish the Treasurer and Comptroller with a copy of the statement required to be made by the ninth section of this act.

"§ 8. The said bank, banks or banking institutions shall open an account with the State Treasurer of the moneys deposited as provided in the last preceding section, and pay the same on the drafts of the State Treasurer, countersigned by the Comptroller, under such regulations as said Treasurer and Comptroller shall prescribe.

"§ 9. The said county treasurer shall keep an accurate account of all moneys received, deposited, and paid out by him, and shall, quarterly, or as often as the board of supervisors shall, by resolution, require, make a correct and true statement thereof in writing, which statement shall be verified by oath before a notary public, or other proper officer, as to its correctness, and filed with the county clerk. Such statement shall be published, also, as soon thereafter as may be, in two newspapers printed in the county having the largest circulation, and belonging to opposite political parties, to be designated by the said board.

"§ 10. Any treasurer of said county, who shall willfully misappropriate any of the funds, or moneys or securities which shall be received by him as such treasurer, or is guilty of any willful disobedience of the lawful directions of the Comptroller of this State, or of the board of supervisors of the county of Monroe, in which he shall be treasurer, or of malfeasance or willful neglect of duty in his office, upon conviction thereof, shall be punished by a fine not less than five hundred dollars nor more than ten thousand dollars, or imprisoned in a State prison not less than one year nor more than ten years, or by both, such fine and imprisonment in the discretion of the court.

"§ 11. All acts, parts of acts, and special laws inconsistent with this act, are hereby repealed."

Amend the title so as to read as follows :

"An act in relation to the county treasurer of Monroe county."

Mr. Johnson moved that the Senate non-concur in said amendments, that a committee of conference be appointed thereon, and that the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Johnson, Robertson, and Ray.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Watertown,' passed May 8, 1869, and chapter 452 of the Laws of 1870, and chapter 810 of the Laws of 1871, amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Middleton, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same was ordered to a third reading and printed.

On motion of Mr. Woodin, the Senate took a recess until four o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate again met.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm and legalize the acts of Deliverance Rogers as notary public of the county of Washington since March 30, in the year of our Lord 1875," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the justices of the peace in the towns of Gates, Greece and Irondequoit, in Monroe county, who reside in that part of said towns added to the city of Rochester by chapter 482 of the Session Laws of 1874," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to regulate the size of apple, pear, and potato barrels,' passed May 12, 1862," with a message that they had passed the same, with the following amendment:

Strike out section 3, and insert in lieu thereof the following:

"§ 3. This act shall take effect immediately."

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Coe	Dow	Madden	Thompson
Cole	Jacobs	McGowan	Tobey
Connelly	Johnson	Parmenter	Wagner
Dayton	King	Robertson	Wellman
Dickinson	Laning	Selkreg	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871," with a message that they had concurred in the passage of the same, with the following amendment:

Add at the end of section 1, engrossed bill, the words "provided that nothing in this act contained shall affect any action now pending."

The President put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Cole	Jacobs	Lowery	Selkreg
Connelly	Johnson	Madden	Thompson
Dayton	King	McGowan	Wagner
Dickinson	Laning	Parmenter	Wellman
Dow	Lord	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have concurred in their amendment.

Mr. Dayton offered the following :

Resolved (if the Assembly concur), That the Canal Board be authorized to reduce the tolls on pine and hard-wood lumber to the rate of three (3) mills per thousand feet per mile.

Ordered, That said resolution be laid upon the table.

Mr. McGowan offered the following :

Resolved (if the Assembly concur), That permission is hereby given to Captain A. L. Swan, of the Seventy-sixth New York Volunteers, to take from the Bureau of Military Statistics the flags of said regiment to be used on the occasion of the reunion of said regiment, to be held during the present year; to be taken and returned under the direction of the Adjutant-General.

Ordered, That said resolution be laid upon the table.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act authorizing and empowering the commissioners of the sinking fund of the city of New York to assign to the board of education certain property to be used for school purposes."

"An act to authorize cities, towns and villages to establish and maintain free public libraries and reading rooms."

"An act to abolish the office of superintendent of canal repairs and to give additional powers to the canal commissioners for the more efficient and economical repair and maintenance of the canals of this State."

After some time spent therein the President resumed the chair, and Mr. Gross, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Gross, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Gross, from the same committee, reported progress on the last named bills, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to declare a road in Clinton county a public highway."

"An act to provide for the sale of stock and bonds of bankrupt railroad companies by municipal corporations holding the same, and for the disposition of the proceeds of such stock or bonds."

"An act to exempt the personal property and estate of foreign corporations from seizure and levy on attachment, execution or other legal process by giving a bond."

After some time spent therein, the President resumed the chair, and Mr. Parmenter, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Parmenter, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Parmenter, from the same committee, reported that they had stricken out all after the enacting clause of the last named bill, and directed their chairman to report that fact to the Senate.

Mr. Laning moved to disagree with said report, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act authorizing the city of Buffalo to take certain lands for a public park, and to provide for the payment thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act further to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' and the several acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to release the right, title and interest of the people of the State of New York of, in and to, certain real estate of which Thomas Thompson died seized, to Mary Smith, formerly Mary Thompson, his widow."

"An act to legalize, ratify and confirm the official action of the board of assessors of the city of New York, in designating the New Yorker Journal to publish notices in the year 1872, in relation to paving streets, laying crosswalks and building sewers in said city, and providing for payment for the publication of such notices."

"An act to provide for the payment for the use and occupation of armories and drill-rooms in the city and county of New York."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of the said bills, which report was agreed to, and the same ordered to a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of extending the supply of water to the city and its inhabitants," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to prevent the commission of frauds in the purchase and sale of real estate in the counties of New York and Kings."

Assembly, "An act authorizing the city of Buffalo to convey to adjacent land owners lands lying within the limits of certain streets, located in the south village of Black Rock, whenever any such street shall be discontinued or contracted."

"An act in relation to the inspection, care, and management of roads, streets, and avenues in the towns in Kings county."

After some time spent therein the President resumed the chair, and Mr. Dickinson, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Dickinson, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Dickinson, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 6, 1874."

"An act to amend chapter 529 of the Laws of 1874, entitled 'An act to provide for the increased facilities of the fire department of the town of New Lots.'"

"An act in relation to the canals."

After some time spent therein, the President resumed the chair, and Mr. Bradley, from the said committee, reported in favor of the passage of the first and second named bills, with amendments, which report was agreed to, and said bills ordered to a third reading.

Mr. Bradley, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Parmenter moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Robertson
Coe	Jacobs	McGowan	Thompson
Cole	Johnson	Middleton	Wellman
Dow	King	Parmenter	Woodin

16

Said bill was then ordered to a third reading.

Mr. Woodin moved that said bill be recommitted to the committee on canals, retaining its place on the order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend chapter 154 of the Laws of 1875, entitled 'An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act in relation to the jurisdiction of the marine court of the city of New York, and to the justices of said court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 319 of the Laws of 1848, entitled

'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Woodin, from the committee on engrossed bills, reported as correctly re-engrossed the following entitled bills, as amended:

"An act to amend an act entitled 'An act to regulate the size of apple, pear, and potato barrels,' passed May 12, 1862."

"An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871."

"An act in relation to the State prisons and penitentiaries of this State."

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 154 of the Laws of 1875, entitled 'An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries in the county of Alleghany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to prevent the taking of fish in or from the waters of Tonawanda creek, so called, and its branches, in the county of Wyoming," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act in relation to the Inebriates' Home, for Kings county and to amend chapter 687 of the Laws of 1872, entitled 'An act to provide means for the support of the Inebriates' Home, for Kings county, and the better government thereof,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the bill entitled "An act in relation to the county court-house and jail in Queens county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend the charter of the city of Troy, passed May 3, 1870, and the acts amendatory thereof."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the bills entitled as follows:

"An act to amend chapter 675 of the Laws of 1872, entitled 'An act in relation to elections in the city and county of New York, and to provide for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage thereat.'"

"An act to enable incorporated parishes of the Protestant Episcopal Church in the Diocese of Central New York to make certain transfers of their real and personal estate."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860."

"An act to amend an act entitled 'An act to revise, amend and consolidate the several acts in relation to the charter of the city of Hudson,' passed May 1, 1872."

"An act to alter the map or plan of the city of New York by striking therefrom the proposed avenue B, between Sixty-eighth and Seventy-ninth streets."

"An act to amend section 3 of title 4 of chapter 8 of part 3 of the Revised Statutes."

"An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 22, 1869."

"An act to amend an act entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies, passed April 5, 1813 and supplementary thereto,' passed March 29, 1875."

"An act ceding jurisdiction over certain land under water in Cold Spring harbor, Queens county, Long Island, for light-house purposes of the United States."

"An act to authorize the board of assessors in the city of New York to revise and correct the assessments for the outlet sewer in Eightieth street and other streets in said city."

"An act to authorize the commissioners of the town of Richford in the county of Tioga, appointed under and by virtue of chapter 433 of the Laws of 1866, to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act."

"An act to amend an act entitled 'An act to facilitate the forming of agricultural and horticultural societies,' passed April 13, 1855."

"An act to amend an act entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or Territories of the United States,' passed March 10, 1870."

"An act to amend an act entitled 'An act to incorporate the Masonic Hall Association of the village of Hornellsville,' passed April 27, 1869."

"An act to make town 1, range 8 of the Holland Land Company Survey, located in the town of South Valley, Cattaraugus county, a separate road district and provide for a commissioner of highways for said district, and also to appropriate money to repair a bridge over the Allegany river on the Indian reservation in said town."

"An act to authorize and direct the mayor, aldermen and commonalty of the city of New York to pay to the county of Westchester claims and demands due said county of Westchester from said city and county of New York, growing out of the annexation to said city and county of New York of the late towns of Morrisania, West Farms, and Kingsbridge."

"An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylum for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874."

"An act to amend an act entitled 'An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church,' passed April 14, 1869."

"An act to amend an act entitled 'An act for the incorporation of the Trustees of the Parochial Fund of the Protestant Episcopal Church in the Diocese of Western New York,' passed March 26, 1863."

"An act to authorize the village of Port Henry to borrow money on its corporation notes or bonds to purchase a steam fire-engine and necessary fire apparatus for the use of said village, and to levy and collect a tax for the payment of the same."

"An act to repeal section 8 of chapter 130 of Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax in aid of Friendship Academy."

"An act to legalize the execution of a certain mortgage by the Belmont Manufacturing Company, and the proceedings of foreclosure founded thereon."

"An act to further amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships or ships or vessels using caloric engines,' passed April 12, 1852."

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

"An act to amend an act entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,' passed April 4, 1866."

"An act to repeal an act entitled 'An act to further provide for the rebuilding and repairing of sewers in the city of New York, passed March 29, 1871.'"

"An act in relation to the Merchants' Loan Company."

"An act in relation to the floating debt of the village of Edgewater."

"An act to amend an act and the title of an act entitled 'An act to authorize the Bleecker Street and Fulton Ferry Railroad Company of the city of New York to extend their railroad tracks through certain streets and avenues in the city of New York,' passed April 11, 1873."

"An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870."

"An act relating to fares for carrying passengers on street railroads in the city of Buffalo."

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Fox, the Senate adjourned.

FRIDAY, MAY 14, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Mr. Jacobs presented a remonstrance of Philip S. Crooke and others against the passage of Senate bill No. 316 relative to the inspection, care, and management of roads and streets in the towns in Kings county; which was read and ordered laid upon the table.

Messrs. Dow and Ray presented remonstrances of citizens of Cattaraugus and Dutchess counties against the reduction of tolls upon the canals; which were read and ordered laid upon the table.

The President announced the appointment of the following persons to attend at the organization of the Senate upon the opening of the next Legislature :

Assistant Doorkeeper — H. H. Wakeley.

Pages — David Connelly, George Connors, J. T. Gaffany, and John Donohue.

Mr. King, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to regulate pilotage for the port of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Coe, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

The Assembly returned the Assembly bill entitled "An act to authorize the formation of corporations for the safe-keeping and guarantying of personal property," with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee on their part Messrs. T. C. Campbell, Schuyler, McGowan, Prince and Husted.

Mr. Gross moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Gross, Wellman and Tobey.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871; and also to amend an act to re-enact and amend the same, passed April 6, 1871," with a message that they had concurred in the passage thereof, with the following amendments."

Section 1, line 12, strike out the words "written approval," and insert in lieu thereof the word "concurrence."

Line 13, strike out the words "mayor and comptroller," and insert in lieu thereof the words "common council, approved by the mayor."

Line 14, strike out the word "consent," and insert in lieu thereof the word "concurrence."

Lines 15 and 16, strike out the words "by said mayor and comptroller."

Make section 2 section 6.

Insert the following as sections 2, 3, 4 and 5 :

"§ 2. The commissioner of public works in the city of New York when thereunto authorized by the mayor, aldermen and commonalty of the city of New York is hereby authorized to expend for materials and labor and other services, in such manner as the said commissioner shall deem for the best interests of said city, in laying pipes to extend and enlarge the distribution of Croton water through the city of New York, including the two new wards, and to furnish a sufficient supply thereof to the institutions in charge of the department of public charities and corrections located on Blackwell's island, Ward's island and Randall's island, and in laying mains necessary to deliver said water at higher

levels and in greater quantities, an additional sum, not exceeding one million five hundred thousand dollars."

"§ 3. It shall be the duty of the comptroller of the city of New York, and he is hereby authorized and directed to borrow upon bonds or stocks of the mayor, aldermen and commonalty of the city of New York such amounts as the commissioner of public works shall, from time to time, deem necessary to execute the works aforesaid; not, however, exceeding, in the whole, the additional sum mentioned in the first section of this act, and the mayor and comptroller of said city are hereby authorized and directed to sign such bonds. Such bonds shall be entitled 'Croton water main stock of the city of New York,' and shall bear interest at a rate not exceeding seven per cent per annum, and shall be redeemable in not less than ten nor more than fifty years from the date of their issue, as the said comptroller shall determine to be for the best interest of said city. Such bonds shall not be disposed of for less than the par value thereof, and it shall be the duty of the clerk of the common council of said city to countersign the same and affix the seal of said city thereto. And the board of supervisors of the county of New York is hereby authorized and directed to cause to be raised, from time to time, by tax upon the estates, real and personal, subject to taxation in the city and county of New York, the sum of money which may be required to pay the interest on said bonds and to redeem them at maturity.

"§ 4. The moneys to be raised by virtue of this act shall be applied and executed for the purposes authorized by this act, and for no other purpose whatever.

"§ 5. The faith of the city of New York and the revenues thereof are hereby pledged for the payment of the interest of said bonds or stocks, and the redemption of the principal of said debt hereby created, and the bonds authorized to be issued under this act."

Add, at the end of the title, the words "also to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at a higher elevation."

Mr. Woodin moved to non-concur in said amendments, that a committee of conference be appointed thereon, and that the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Woodin, Booth and Fox.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in said amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

The Assembly returned the bill entitled "An act relative to claims and legal proceedings against the mayor, aldermen and commonalty of the city of New York," with a message that they had concurred in the passage of the same with the following amendments:

Amend section 1 so as to read as follows:

"No order of reference shall hereafter be made or entered in any actions at law or proceeding against the mayor, aldermen and commonalty of the city of New York where issues of fact are to be determined, unless the consent to such reference is signed by the mayor and the counsel to the corporation."

Add, at the end of section 2, the words "and in such actions judgment shall be entered upon the report of the referee."

Mr. Woodin moved that the Senate do non-concur in said amendments, that a committee of conference be appointed thereon and the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Woodin, Booth and Fox.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in said amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act in relation to the Bureau of Military Statistics,'" with a message that they had concurred in the passage of the same with the following amendments:

Section 1, line 1, strike out the words "an act," and insert in lieu thereof the words "chapter 51 of the Laws of 1861."

Amend the title by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 51 of the Laws of 1864."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dow	Lord	Robertson
Coe	Fox	Lowery	Selkreg
Cole	Gross	Madden	Wagner
Connelly	Jacobs	Middleton	Wellman
Dayton	King	Parmenter	Woodin
Dickinson	Laning	Ray	23

FOR THE NEGATIVE.

Kellogg	Thompson	Wood	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act for the incorporation of library companies,' passed June 17, 1853," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, lines 1 and 2, engrossed bill, strike out the words "an act," and insert in lieu thereof the words "chapter 39 of the Laws of 1853."

Strike out, from the word "companies," in line 3, to the last word in line 4.

Amend the title by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 390 of the Laws of 1853."

Strike out all of said title after the word "companies."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Lowery	Ray
Coe	King	Madden	Thompson
Cole	Laning	McGowan	Wellman
Connelly	Ledwith	Moore	Wood
Dow	Lord	Parmenter	Woodin
Fox			

21

FOR THE NEGATIVE.

Dickinson	Middleton	Selkreg	Wagner	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend chapter 344 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 13, 1860, and to define the term of office of the acting superintendent and auditing superintendent of the poor now in office under said act," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, line 9, engrossed bill, insert after the word "poor," the words "Martin P. Defreest."

Strike out all of said section, after the word "law," in line 32.

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Thompson
Coe	Johnson	Middleton	Wagner
Cole	King	Parmenter	Wellman
Connelly	Laning	Ray	Wood
Dickinson	Lord	Robertson	Woodin
Dow	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act providing for the appointment of trustees of the estates of persons absenting themselves from their domiciles in this State, and remaining unheard of, or suddenly disappearing," with a message that they had concurred in the passage of the same with the following amendments :

Section 1, line 8, engrossed bill, strike out the word "one," and insert in lieu thereof the word "three."

Section 4, lines 5 and 6, strike out the words "just debts and claims against," and insert "judgment creditor of."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Robertson
Coe	Gross	Madden	Selkreg
Cole	Jacobs	Middleton	Wagner
Connelly	King	Moore	Wellman
Dayton	Laning	Parmenter	Wood
Dickinson	Lord	Ray	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *May 14, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town and of the debts thereof."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Mackin, and by unanimous consent, the same was amended as follows :

Strike out the word "June," in line 11, section 5, and insert in lieu thereof the word "August."

Strike out lines 3, 4, and 5 in section 11, and insert in lieu thereof the words "and the officers elected on the first Tuesday in March, 1875, at the annual town meeting of the town of Fishkill as it existed prior to the passage of this act, shall hold over and perform the duties of their respective offices for both the town of Fishkill as hereby continued, and the town of Wappinger as hereby constituted, until the election of town officers for the said town of Wappinger as provided by this act, after which the territorial jurisdiction of such officers, other than justices of the peace, shall not extend beyond the limits of the town in which they shall reside after the division made by this act."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lord	Selkreg
Coe	Fox	Lowery	Thompson
Cole	Gross	Middleton	Wagner
Connelly	Jacobs	Parmenter	Wellman
Dayton	King	Ray	Wood
Dickinson	Laning	Robertson	Woodin

24

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Robertson
Coe	Gross	Madden	Selkreg
Cole	Jacobs	McGowan	Wagner
Connelly	King	Middleton	Wellman
Dayton	Laning	Parmenter	Wood
Dickinson	Lord	Ray	Woodin
Dow			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The committee of conference of the Senate and Assembly on the disagreeing votes of the two Houses on the bill of the Assembly (printed No. 182), entitled "An act to provide for the organization and regulation of certain business corporations," having met, have, after full and free conference, agreed, and recommend to their respective Houses as follows:

That the Assembly recede from its disagreement to the first and second amendments of the Senate, and agree to the same amended as follows:

In section 1, the Senate amendments being stricken out, and the following words inserted: "or corporations intended to derive profit from the loan or use of money," after the words "trust companies;" and that the Senate agree to the amendment as thus amended.

That the Assembly recede from its disagreement to the third, fourth, fifth, sixth, and seventh amendments of the Senate, and agree to the same.

That the Senate recede from their eighth and ninth amendments.

That the Assembly recede from its disagreement to the fourteenth amendment of the Senate, and agree to the same amended as follows:

Insert, after the word "clerk," in line 41, the words "and shall not take until so filed;" and the Senate agree to the amendment as thus amended.

That the Assembly recede from its disagreement to the fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, and twenty-first amendments of the Senate, and agree to the same.

That the Assembly recede from its disagreement to the twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, and twenty-seventh amendments of the Senate, and agree to the same.

That the Senate recede from their twenty-eighth and twenty-ninth amendments.

That the Assembly recede from its disagreement to the thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth amendments of the Senate, and agree to the same.

That the Assembly recede from its disagreement to the thirty-ninth amendment of the Senate and agree to the same, amended as follows:

After the word "except," in line 2, section 30, of engrossed bill, insert the word "its," and insert the words "shall be taxed therein," at the close of the section; and the Senate agree to the amendments as thus amended.

That the Assembly recede from its disagreement to the fortieth, forty-first, forty-second and forty-third amendments of the Senate, and agree to the same.

That the Senate recede from the forty-fourth amendment.

That the Assembly recede from its disagreement to the forty-fifth, forty-sixth, forty-seventh and forty-eighth amendments of the Senate, and agree to the same.

That the Assembly recede from its disagreement to the forty-ninth amendment of the Senate, and agree to the same, amended as follows: The words "or stockholder," in line 4, of section 36 of the engrossed bill to be stricken out, and the word "or" inserted before the word director on such line, and the Senate agree to the amendment, as thus amended.

That the Assembly recede from its disagreement to the fiftieth amendment of the Senate, and agree to the same.

That the Senate recede from their fifty-first amendment.

That the Assembly recede from its disagreement to the fifty-second and fifty-third amendments of the Senate, and agree to the same.

W. H. ROBERTSON,
W. B. WOODIN,
A. P. LANING,
Senate Committee.

L. BRADFORD PRINCE,
JOHN R. KENNADAY,
R. W. SHERMAN,
THOMAS C. CAMPBELL,
FREDERICK W. SEWARD,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Connelly	King	Middleton	Selkreg
Dickinson	Laning	Moore	Thompson
Gross	Lowery	Parmenter	Wagner
Jacobs	Madden	Ray	Wellman
Johnson	McGowan	Robertson	Woodin
Kellogg			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Robertson moved to take from the table the report of the committee of conference upon the matters in difference between the two Houses upon the Assembly bill entitled "An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson moved that the Senate agree to said report, except that portion thereof contained in section 7, subdivision 3.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Coe	Dow	Laning	Robertson
Cole	Gross	McGowan	Thompson
Connelly	Jacobs	Middleton	Wellman
Dayton	Johnson	Moore	Wood
Dickinson	Kellogg	Parmenter	Woodin

20

FOR THE NEGATIVE.

King

1

Mr. Robertson moved that the Senate agree to so much of said report as is contained in section 7, subdivision 3, of said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dickinson	Middleton	Thompson
Coe	Dow	Moore	Tobey
Cole	Fox	Parmenter	Wagner
Connelly	Gross	Robertson	Woodin
Dayton	Lowery	Selkreg	

19

FOR THE NEGATIVE.

Johnson	Madden	Ray	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Thompson, from the committee on literature, to which was referred the Assembly bill entitled "An act to repeal section 10 of chapter 398 of the Laws of 1872, 'An act to incorporate the Batavia Literary Association, and appropriating certain moneys thereto,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend chapter 367 of the Laws of 1873, entitled 'An act amending an act entitled An act to establish free schools in district No. 3 of the town of Flushing,' passed April 16, 1857, enlarging said district and authorizing a greater school tax therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on literature, to which was referred the Assembly bill entitled "An act to revise and consolidate the several acts relative to public schools in the city of Auburn," reported in favor of the passage of the same, with amendments.

On motion of Mr. Woodin, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Coe	Jacobs	McGowan	Thompson
Cole	Johnson	Middleton	Tobey
Connelly	Kellogg	Moore	Wagner
Dayton	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Wood
Dow	Lord	Robertson	Woodin
Fox	Lowery		

30

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to police justices in the city of New York," having been announced for a third reading,

On motion of Mr. Woodin, and by unanimous consent said bill was amended as follows :

Section , line 4, strike out the words "it will be necessary that."

Line 5, after the word "bonds," insert the word "shall."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Coe	Johnson	Middleton	Thompson
Cole	King	Moore	Tobey
Dayton	Ledwith	Parmenter	Wagner
Dow	Lowery	Ray	Wellman
Fox	Madden	Robertson	Woodin
Gross			

25

FOR THE NEGATIVE.

Connelly Dickinson

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Wagner, and by unanimous consent, the committee of the whole were discharged from the further consideration of the Assembly bill entitled "An act to provide for the settlement of the floating debt of the village of Saratoga Springs, and authorizing the election of a permanent board of auditors for said village," and the same was ordered to a third reading.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Robertson
Coe	Jacobs	McGowan	Thompson
Cole	Johnson	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Ledwith	Parmenter	Wellman
Dickinson	Lord	Ray	Woodin
Dow			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act to provide for the sale of stock and bonds of bankrupt railroad companies by municipal corporations holding the same, and for the disposition of the proceeds of such stock or bonds," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act to except a railroad proposed to be constructed in the towns of New Utrecht, Gravesend and Flatlands from the provisions of an act to regulate the construction and protection of railway crossings, in the county of Kings, passed April 19, 1871," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act to provide for the construction, maintenance, and operation of local railroads, in cities towns, villages," reported the same to the Senate for their consideration, with amendments, and said bill was committed to the committee of the whole.

Mr. Selkreg moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Selkreg, from the committee on railroads, to which was recommended the bill entitled "An act to authorize cities to provide railways for rapid transit of persons and property, and to create corporations for that purpose," reported in favor of the passage of the same.

The President announced the question to be upon concurring in the amendments of the Assembly to said bill.

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Robertson
Coe	Gross	Madden	Selkreg
Cole	Jacobs	McGowan	Thompson
Connelly	Johnson	Middleton	Tobey
Dayton	Kellogg	Moore	Wagner
Dickinson	Laning	Parmenter	Wellman
Dow	Ledwith	Ray	Wood 28

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly bill entitled "An act to authorize the common council of the city of Syracuse to repave Salina street, in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Selkreg
Coe	Kellogg	McGowan	Thompson
Cole	King	Middleton	Wagner
Connelly	Laning	Moore	Wellman
Dayton	Ledwith	Parmenter	Wood
Dow	Lord	Ray	Woodin
Gross	Lowery	Robertson	27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act authorizing and empowering the commissioners of the sinking fund of the city of New York to assign to the board of education certain property to be used for school purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Selkreg
Connelly	King	Middleton	Thompson
Dayton	Laning	Moore	Wellman
Dow	Ledwith	Ray	Wood
Fox	Lowery	Robertson	Woodin
Gross			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to declare a road in Clinton county a public highway," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Parmenter
Cole	Jacobs	Lowery	Robertson
Connelly	Kellogg	McGowan	Wellman
Dickinson	King	Middleton	Wood
Dow	Laning	Moore	

19

FOR THE NEGATIVE.

Selkreg

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act authorizing the city of Buffalo to convey to adjacent land owners, lands lying within the limits of certain streets located in the south village of Black Rock whenever any such street shall be discontinued or contracted," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Robertson
Cole	Johnson	Madden	Selkreg
Connelly	King	McGowan	Thompson
Dayton	Laning	Middleton	Wellman
Dickinson	Ledwith	Moore	Wood
Dow	Lord	Parmenter	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to provide for the sale of stock and bonds of bankrupt railroad companies by municipal corporations holding the same, and for the disposition of the proceeds of such stock or bonds," having been announced for a third reading,

On motion of Mr. Madden, and by unanimous consent, the Assembly bill No. 704, same title, now on the order of third reading of bills, was substituted therefor.

Said Assembly bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Connelly	Johnson	Madden	Robertson
Dickinson	King	McGowan	Selkreg
Dow	Laning	Middleton	Thompson
Fox	Ledwith	Moore	Wellman
Gross	Lowery	Parmenter	Wood
Jacobs			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 529 of the Laws of 1874, entitled 'An act to provide for the increased facilities of the fire department of the town of New Lots,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lord	Robertson
Connelly	Johnson	Lowery	Selkreg
Dayton	King	Madden	Thompson
Dickinson	Laning	McGowan	Wellman
Dow	Ledwith	Parmenter	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize, ratify, and confirm the official action of the board of assessors of the city of New York in designating the New Yorker Journal to publish notices in the year 1872 in relation to paving streets, laying cross-walks, and building sewers in said city, and providing for payment for the publication of such notices," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	Parmenter	3
-----	--------	-----------	---

FOR THE NEGATIVE.

Connelly	King	Middleton	Wellman
Dickinson	Lowery	Robertson	Wood
Dow	McGowan	Selkreg	11

Said bill was laid upon the table under the rule.

The bill entitled "An act to authorize cities, towns and villages to establish and maintain free public libraries and reading rooms," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lord	Middleton
Connelly	King	Lowery	Thompson
Dayton	Ledwith	McGowan	Wellman
Dow			13

FOR THE NEGATIVE.

Coe	Johnson	Parmenter	Selkreg
Dickinson	Kellogg	Robertson	Wagner
Gross			9

Mr. Wellman moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to regulate pilotage for the port of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Gross	Middleton	Wagner
Connelly	Jacobs	Moore	Wellman
Dayton	King	Parmenter	Wood
Dickinson	Ledwith	Robertson	Woodin
Dow	Lowery		18

FOR THE NEGATIVE.

Bradley	Johnson	Selkreg	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to release the right, title and interest of the people of the State of New York of, in and to, certain real estate of which Thomas Thompson died seized, to Mary Smith, formerly Mary Thompson, his widow," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Robertson
Coe	Jacobs	McGowan	Selkreg
Cole	Johnson	Middleton	Wagner
Connelly	Kellogg	Moore	Wellman
Dayton	King	Parmenter	Wood
Dickinson	Ledwith	Ray	Woodin
Dow	Lord		

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the payment for the use and occupation of armories and drill-rooms in the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	King	Moore	Selkreg
Coe	Ledwith	Parmenter	Thompson
Cole	Lord	Ray	Wagner
Dayton	Madden	Robertson	Wellman
Gross	McGowan		

18

FOR THE NEGATIVE.

Dickinson	Dow	Lowery	Middleton
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4

Mr. Fox requested that his vote might be recorded in the affirmative and entered upon the journal.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the settlement of the floating debt of the village of Saratoga Springs, and authorizing the election of a permanent board for said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Selkreg
Coe	Gross	Madden	Thompson
Cole	Jacobs	Middleton	Wagner
Connelly	Johnson	Moore	Wellman
Dayton	King	Parmenter	Wood
Dickinson	Ledwith	Ray	Woodin
Dow	Lord	Robertson	

27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act further to amend chapter 674 of the Laws of 1870, entitled 'An act to amend, consolidate and re-enact an act entitled An act to incorporate the village of Edgewater,' passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation, passed May 5, 1870, and also the several acts amendatory thereof, passed June 8, 1872, June 7, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Coe	Jacobs	Middleton	Wagner
Cole	King	Moore	Wellman
Dayton	Lord	Parmenter	Wood
Dickinson	Lowery	Ray	Woodin
Dow	Madden	Robertson	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Coe moved to take from the table the Assembly bill entitled "An act to authorize the county of Kings to purchase from the State of New York the State arsenal, in the city of Brooklyn, as an armory, and to provide for the sale of the same by the State."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President stated the question to be upon concurring in the amendments of the Assembly to said bill.

On motion of Mr. Coe, and by unanimous consent, said bill was amended by striking out all after the enacting clause, and inserting the following:

"SECTION 1. The county of Kings is hereby authorized to enter upon the lands and property on Portland avenue, Auburn place, and Hampden street, in the city of Brooklyn, known as the State arsenal, and to possess and use the same for the purposes of an armory for the Fourteenth regiment of the National Guard of the State of New York, and for this purpose said county of Kings may enter upon and take possession of such premises, and may make such alterations of, and repairs to, the same, at the expense of said county, as the board of supervisors thereof may, in its discretion, determine to be necessary and proper; and the said county may occupy the same for the uses and purposes of the National Guard of the State of New York so long as the same shall be required for such uses and purposes.

"§ 2. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act to authorize the county of Kings to possess and use the State arsenal, in the city of Brooklyn, as an armory, and to alter and repair the same for that purpose."

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dickinson	Madden	Ray
Coe	Fox	McGowan	Robertson
Cole	Gross	Middleton	Thompson
Connelly	Jacobs	Moore	Wood
Dayton	Lowery	Parmenter	

19

FOR THE NEGATIVE.

Dow

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

By unanimous consent, Mr. Cole, asked and obtained leave to introduce a bill entitled "An act in relation to the expenses of contested seats in the Legislature of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to authorize towns, cities and villages to pay their bonds issued for railroad purposes by exchanging therefor their railroad stock or bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gross called from the table the Assembly bill entitled "An act to legalize, ratify and confirm the official action of the board of assessors of the city of New York, in designating the New Yorker Journal to publish notices in the year 1872, in relation to paving streets, laying crosswalks and building sewers in said city, and providing for payment for the publication of such notices."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Parmenter
Coe	Jacobs	Lord	Ray
Dayton	Johnson	Madden	Selkreg
Fox	Laning	Moore	Wagner

16

FOR THE NEGATIVE.

Connelly	Lowery	Robertson	Wellman
Dickinson	McGowan	Thompson	Wood
Dow	Middleton	Tobey	Woodin

12

Mr. Woodin moved to reconsider the vote by which said bill was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Middleton	Thompson
Coe	Jacobs	Moore	Tobey
Dayton	Laning	Parmenter	Wagner
Dickinson	Lord	Ray	Wood
Dow	Madden	Selkreg	Woodin
Fox	McGowan		

22

On motion of Mr. Woodin, and by unanimous consent said bill was amended as follows :

Section 2, line 2, strike out the words "and directed."

Said bill was then again read.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Tobey
Coe	Gross	Moore	Wagner
Connelly	Jacobs	Parmenter	Wellman
Dayton	Laning	Selkreg	Woodin
Dow	Ledwith	Thompson	

19

FOR THE NEGATIVE.

Dickinson

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

Mr. Madden called for the consideration of the concurrent resolution in the words following :

Resolved (if the Assembly concur), That section 3 of article 5 of the Constitution be amended so as to read as follows :

"Section 3. A Superintendent of Public Works shall be appointed by the Governor, by and with the advice and consent of the Senate, and hold his office for five years and until the end of the term of the Governor by whom he was nominated, and until his successor is appointed and qualified. He shall receive a compensation to be fixed by law. He shall be required by law to give security for the faithful execution of his office before entering upon the duties thereof. He shall be charged with the execution of all laws relating to the repair and navigation of the canals, and also of those relating to the construction and improvement of the canals, except so far as the execution of the laws relating to such construction or improvement shall be confided to the State Engineer and Surveyor; subject to the control of the Legislature, he shall make the rules and regulations for the navigation or use of the canals. He may be suspended or removed from office by the Governor whenever, in his judgment, the public interest shall so require; but in case of the removal of such Superintendent of Public Works from office, the Governor shall file with the Secretary of State a statement of the cause of such removal, and shall report such removal, and the cause thereof, to the Legislature at its next session.

"The Superintendent of Public Works shall appoint not more than three assistant superintendents, whose duties shall be prescribed by him, subject to modification by the Legislature, and who shall receive for their services a compensation to be fixed by law. They shall hold their office for three years, subject to suspension or removal by the Superintendent

of Public Works whenever, in his judgment, the public interest shall so require. Any vacancy in the office of any such assistant superintendent shall be filled for the remainder of the term for which he was appointed by the Superintendent of Public Works; but in case of the suspension or removal of any such assistant superintendent by him he shall at once report to the Governor, in writing, the cause of such removal. All other persons employed in the care and management of the canals, except collectors of tolls, and those in the department of the State Engineer and Surveyor, shall be appointed by the Superintendent of Public Works, and be subject to suspension or removal by him.

"The office of Canal Commissioner is abolished, from and after the appointment and qualification of the Superintendent of Public Works, until which time the Canal Commissioners shall continue to discharge their duties as now provided by law. The Superintendent of Public Works shall perform all the duties of the Canal Commissioners and Board of Canal Commissioners, as now declared by law, until otherwise provided by the Legislature.

"The Governor, by and with the advice and consent of the Senate, shall have power to fill vacancies in the office of Superintendent of Public Works; if the Senate be not in session, he may grant commissions which shall expire at the end of the next succeeding session of the Senate."

Resolved (if the Assembly concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity with section one of article thirteen of the Constitution it be published for three months previous to the time of such election.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Selkreg
Cole	King	McGowan	Thompson
Dayton	Laning	Middleton	Wagner
Dickinson	Ledwith	Parmenter	Wellman
Dow	Lord	Ray	Wood
Fox	Lowery	Robertson	Woodin
Gross			

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Johnson moved to take from the table the motion to disagree with the adverse report of the committee on finance on the Assembly bill entitled "An act authorizing the taxation of stockholders of life, fire, and marine insurance companies."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to disagree to said adverse report, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Madden	Ray	Selkreg
Johnson	Parmenter		

6

FOR THE NEGATIVE

Coe	Gross	McGowan	Wagner
Connelly	King	Robertson	Wellman
Dayton	Laning	Thompson	Wood
Dow	Lord	Tobey	Woodin
Fox	Lowery		

13

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 455 of the Laws of 1874, entitled 'An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York, also of Clyde and Seneca rivers, in counties of Wayne and Cayuga,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Thompson
Coe	Jacobs	McGowan	Tobey
Connelly	Johnson	Parmenter	Wagner
Dayton	King	Ray	Wellman
Dickinson	Laning	Robertson	Wood
Dow	Lord	Selkreg	Woodin
Fox	Lowery		

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Madden called for the consideration of the resolution in the words following :

Resolved (if the Assembly concur), That section 4 of article 5 of the Constitution be amended so as to read as follows :

"Section 4. A Superintendent of State Prisons shall be appointed by the Governor, by and with the advice and consent of the Senate, and hold his office for five years, unless sooner removed; he shall give security in such amount and with such sureties as shall be required by law for the faithful discharge of his duties; he shall have the superintendence, management and control of the State prisons, subject to such laws as now exist or may hereafter be enacted; he shall appoint the agents, wardens, physicians and chaplains of the prisons. The agent and warden of each prison shall appoint all other officers of such prison, except the clerk, subject to the approval of the same by the Superintendent. The Comptroller shall appoint the clerks of the prisons. The Superintendent shall have all the powers and perform all the duties not inconsistent herewith, which have heretofore been had and performed by the Inspectors of State Prisons; and from and after the time when such Superintendent of State Prisons shall have been appointed and qualified, the office of Inspector of State Prisons shall be and hereby is abolished. The Governor may remove the Superintendent for cause at any time, giving to him a copy of the charges against him, and an opportunity to be heard in his defense."

Resolved (if the Assembly concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that, in conformity with section 1 of article 13 of the Constitution, it be published for three months previous to the time of such election.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Thompson
Coe	Jacobs	McGowan	Tobey
Connelly	Johnson	Parmenter	Wagner
Dayton	King	Ray	Wellman
Dickinson	Laning	Robertson	Wood
Dow	Lord	Selkreg	Woodin
Fox	Lowery		

26

Ordered, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the bill entitled "An act to amend chapter 757 of the Laws of 1873, entitled 'An act to amend chapter 335 of the Laws of 1873, entitled An act to reorganize the local government of the city of New York,' passed April 13, 1873," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Madden, from the committee on railroads, to which was referred the bill entitled "An act to amend chapter 332 of the Laws of 1868, passed April 27, 1868, and relative to the Hudson Suspension Bridge and New England Railway Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tobey, from the committee on insurance, to which was referred the Assembly bill entitled "An act to incorporate the Bethlehem Mutual Insurance Association, and for other purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Connelly, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act in relation to the Dale Cemetery Association in the town of Ossining, in the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lowery, from the committee on banks, to which was referred the Assembly bill entitled "An act to extend the time within which the Brooklyn Guaranty and Indemnity Company, a corporation created under chapter 481 of the Laws of 1874, may commence the transaction of business" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Robertson, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize towns, cities and villages to pay their bonds issued for railroad purposes, by exchanging therefor their railroad stock or bonds," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the fire department of the north shore of Staten Island," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the following resolution :

Resolved, That a respectful message be sent to the honorable the Senate requesting the return of Assembly bill No. 679, entitled "An act to amend chapter 487 of the Laws of 1862, entitled 'An act defining and regulating the powers and duties and compensation of the captain of the port and harbor-masters of the port of New York,' " for amendment.

Mr. King moved to discharge the committee on commerce and navigation from the further consideration of said bill, and that the same be returned to the Assembly as requested.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 22, 1869," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 331 of the Laws of 1857, entitled 'An act to make the office of supervisor in Rensselaer county a salaried office and to regulate the compensation of the clerk of the board of supervisors and other officers in said county,' reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize corporations to reduce their capital stock," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate of which William Grant, late of the town of Arcadia, in the county of Wayne, died seized, and authorizing his heirs at law to hold and convey the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to authorize cities, towns, and villages to establish and maintain free public libraries and reading rooms."

"An act to amend an act entitled 'An act to incorporate the city of Watertown,' passed May 8, 1869, and chapter 452 of the Laws of 1870, and chapter 810 of the Laws of 1871 amendatory thereof."

Mr. Woodin, from the same committee, reported the following bills as correctly re-engrossed:

"An act to amend chapter 51 of the Laws of 1864, entitled 'An act in relation to the Bureau of Military Statistics.'"

"An act providing for the appointment of trustees of the estates of persons absenting themselves from their domiciles in this State and remaining unheard of or suddenly disappearing."

"An act to amend chapter 390 of the Laws of 1853, entitled 'An act for the incorporation of library companies.'"

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to exempt property real and personal of the society of the New York hospital from taxation," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 676 of the Laws of 1870, entitled 'An act to incorporate the Richmond Hotel Company of Staten Island,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to the heirs at law and devisees of William Moffat, late of Syracuse, the right, title and interest of the people of the State of New York in and to certain real estate in the city of Syracuse," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 556 of the Laws of 1875, entitled 'An act to enable the towns of East Chester and Pelham, in the county of Westchester, to purchase and obtain lands for the improvement of East Chester creek,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 22, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act authorizing the State Homœopathic Medical Society to change the time for holding annual, regular or special meetings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act to amend an act entitled 'An act for the preservation of fish in the River St. Lawrence,' passed June 12, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the practice, pleadings, and proceedings of the courts of this State,'" which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water,' and supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to extend the time within which the Brooklyn Guaranty and Indemnity Company, a corporation created under chapter 481 of the Laws of 1874, may commence the transaction of its business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Great Council of the Improved Order of Red Men of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to provide for the apportionment of rents, annuities, dividends and other payments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the various associations and societies incorporated under the laws of the State of New York for the purpose of taking care of and protecting destitute infant minor children, to bind out by indenture destitute children who are in their care and keeping," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lowery, and by unanimous consent, the rules were suspended and said bill was committed to the committee of the whole.

"An act to amend an act entitled 'An act to widen and improve Ninth avenue and Fifteenth street in the city of Brooklyn,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to enable John L. Ireland to acquire title to a portion of South Fifth avenue in the city of New York, and to discontinue that portion of said avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to authorize the confinement of convicts in the county penitentiaries of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to confer upon the trustees of the incorporated villages of this State power to restrain and regulate the construction of wooden buildings, and to cause the removal or repair of unsafe walls, chimneys, and other structures," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release to Susan Grant the right, title, and interest of the people of the State of New York in and to certain real estate in the city

of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release to the heirs at law and devisees of William Moffat, late of Syracuse, the right, title, and interest of the people of the State of New York in and to certain real estate in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 833 of the Laws of 1873, entitled 'An act to regulate the fees of coroners,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the village of Avon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act further to amend chapter 674 of the Laws of 1870, entitled 'An act to amend, consolidate and re-enact an act entitled An act to incorporate the village of Edgewater,' passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation, passed May 5, 1870, and also the several acts amendatory thereof, passed June 8, 1872, June 7, 1873," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. King, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

"An act supplementary to and amendatory of chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to the Dale Cemetery Association in the town of Ossining, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to release the interest of the State of New York in certain real estate in the city of Albany of which William Wilcox died seized," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dayton, and by unanimous consent, the rules were suspended and said bill ordered to a third reading.

"An act to provide for the improvement of streets, roads and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to fix the compensation of certain officers in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fox, and by unanimous consent, the rules were suspended, and said bill was committed to the committee of the whole.

"An act to amend chapter 556 of the Laws of 1874, entitled 'An act to enable the towns of East Chester and Pelham, in the county of Westchester, to purchase and obtain lands for the improvement of East Chester creek,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the powers and duties of the department of public parks of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to dispose of the surplus lands known as the Seamen's Retreat in the county of Richmond, and for the payment of the debt of the Seamen's Fund and Retreat of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend title 6, chapter 20, part 1 of the Revised Statutes, entitled 'Of the support of bastards,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize corporations to reduce their capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act explaining section 1 of chapter 251 of the Laws of 1875, entitled 'An act for the support and maintenance of prisoners confined upon civil process,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Gross, and by unanimous consent, the rules were suspended, and said bill was committed to the committee of the whole.

"An act to secure free exercise and enjoyment of religious profession and worship without discrimination or preference to all mankind confined in State prisons and other places of confinement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 331 of the Laws of 1857, entitled 'An act to make the office of Supervisor in Rensselaer county a salaried office, and to regulate the compensation of the clerk of the board of supervisors, and other officers in said county,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 455 of the Laws of 1847, entitled 'An act to amend an act entitled An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed May 10, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act in relation to the proof of wills," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 455 of the Laws of 1874, entitled 'An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York, also of Clyde and Seneca rivers, in counties of Wayne and Cayuga," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Woodin, and by unanimous consent, said bill was substituted for Senate bill No. 326, now on the order of third reading of bills.

"An act to exempt property, real and personal, of the Society of the New York Hospital, from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the powers of the trustees of the village of Wilson, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act relative to the powers of the Buffalo Street Railroad Company and the Buffalo East Side Railroad Company of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act relating to the powers and duties of the board of commissioners of charities of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act entitled 'An act to amend chapter 574 of the Laws of 1871, as amended by chapter 738 of the Laws of 1872, in relation to the department of docks,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to incorporate the fire department of the North Shore of Staten Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the preservation of fish in the Niagara river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act relative to the custody of certain records of tax and assessment sales in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to authorize the appointment of commissioners to examine the accounts, acts and proceedings of the board of water commissioners of the city of Rochester, for constructing water-works for said city, and also the commissioners appointed to fix upon the site for a city hall and erection of a building, to be used as such, thereon, in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to provide for the opening and improving of Lewis avenue, and for extending, opening, and improving of Downing street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 190 of the Laws of 1856, entitled 'An act for the appointment of commissioners of records for the county of Kings,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize and confirm the official acts and proceedings of Edson Potter, Harvey P. Potter, Benjamin F. Read, and William Horton

as constables in the town of Colton, county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 184 of the Laws of 1866, entitled 'An act for the better protection of seamen in the port and harbor of New York,' passed March 21, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to regulate the price of, and the quality of, gas used in the city of Yonkers, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to amend chapter 122 of the Laws of 1851, entitled 'An act for the incorporation of building, mutual loan, and accumulating fund associations,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act passed April 3, 1867, entitled 'An act in relation to railroads held under lease,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend chapter 408 of the Laws of 1870, entitled 'An act relating to the supreme court, and to the election of a judge of the court of common pleas, in and for the city and county of New York'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the coroners of the county of New York to employ a stenographer in certain cases," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ledwith, and by unanimous consent, the rules were suspended, and said bill was committed to the committee of the whole.

"An act in relation to the alms-house and insane asylum in the city of Albany, and the sale and purchase of real property in connection therewith," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act in relation to police justices in the city of New York."

"An act relating to the Buffalo East Side Street Railway Company."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the bills entitled as follows:

"An act to amend an act entitled 'An act to regulate the size of apple, pear and potato barrels,' passed May 12, 1862."

"An act in relation to the State prisons and penitentiaries of this State."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto, respectively:

"An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water.'"

"An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,' and the several acts amending the same."

"An act relating to lands in the old military tract sold by the State Engineer and Surveyor."

"An act to amend an act entitled 'An act to amend the act for the protection and improvement of the Seneca Indians, residing on the Cattaraugus and Allegany reservations in this State,' passed November 15, 1847."

"An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie."

"An act to reduce rates of ferriage on certain ferry routes between the city of New York and the seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries."

"An act to authorize the reduction of the capital stock of the New York Loan and Indemnity Company in the city of New York, and to change its corporate name."

"An act to provide for the election of police justices in villages."

"An act to abandon the further use, by the people of the State of New York, of the buildings, lands, and premises in the county of Albany used as a public arsenal, and to convey said buildings, lands, and premises to the city of Albany."

Ordered, That the Clerk return said bills to the Assembly.

Mr. Jacobs moved to take from the table the message of the Governor relative to municipal affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Jacobs moved that said message be referred to the committee on the affairs of cities.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to prevent and punish persons trespassing upon private lands by landing any vessel, boat, scow or other craft upon or along the shores of Seneca lake."

"An act to authorize the common council of the city of Buffalo to discontinue East street between Parish and South streets, and Dearborn street between Parish and Tonawanda streets."

"An act to enable the Buffalo General Hospital to change the number of its trustees."

After some time spent therein the President resumed the chair, and Mr. Ray, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and the same ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act confirming the title of the trustees of school district No. 3, in the town of Amherst, in the county of Erie, to the lands and property of the Williamsville academy, in said county.

"An act to provide for the construction of sewers in the city of Yonkers."

"An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers, passed June 1, 1872,' passed February 28, 1873,"

After some time spent therein the President resumed the chair, and Mr. Selkreg from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Selkreg, from the same committee, reported progress on the second named bill, and asked leave to sit again.

Mr. Ray moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Selkreg, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Jacobs moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county."

"An act to amend chapter 42 of the Laws of 1872, entitled 'An act to authorize the election of a police justice in and for the village of Flushing, Queens county, and to prescribe his duties and compensation, and regulating charges in criminal proceedings in said village.'"

"An act in regard to the boundary monuments of the State."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Dow, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to repeal section 1, of title six of chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina.'"

"An act to provide for the compensation of non-resident justices sitting and acting as members of the general term of the first judicial department."

Assembly, "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes.'"

After some time spent therein, the President resumed the chair, and Mr. Madden, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Madden, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Madden, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Selkreg moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act authorizing the city of Schenectady to raise money for school purposes."

"An act to amend chapter 59 of the Laws of 1868, entitled 'An act to establish the office of receiver of taxes in the town of Greenburgh, in the county of Westchester, State of New York.'"

"An act in relation to the estate of the infant children and heirs at law of Martha West Yale, deceased."

After some time spent therein the President resumed the chair, and Mr. Lord, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Lord, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Laning moved that the committee of the whole be discharged from the further consideration of the last named bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act relative to certain lands in the village of Flushing, devised by Silas Hicks, deceased, to his wife, since deceased, during the term of her life, and upon her decease to trustees, and to authorize the sale thereof, and the disposition of the proceeds of sale in accordance with the provisions of said will."

"An act to regulate investments by insurance companies."

Assembly, An act to further amend chapter 138 of the Laws of 1858, entitled 'An act to authorize the improving and keeping in repair a certain highway in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same in repair,' passed March 24, 1857; passed April 12, 1858."

After some time spent therein the President resumed the chair, and Mr. Dickinson, from said committee, reported progress on the first named bill, and asked leave to sit again.

On motion of Mr. King, the committee of the whole were discharged from the further consideration of the first named bill, and that the same be ordered to a third reading.

Mr. Dickinson, from the same committee, reported in favor of the pas-

sage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Dickinson, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered to a third reading.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *May 13, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to reappropriate moneys for construction of new work upon, and extraordinary repairs of, the canals of this State, and for payment of awards made by the Canal Appraisers."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Page, and by unanimous consent, the same was amended as follows :

Amend section 2 by inserting, after the words "seventy-three," in line 5, the words "being an act entitled 'An act to authorize a tax of one-half of a mill per dollar of valuation of the year 1873 for the construction of new work upon, and extraordinary repairs of, the canals of this State.' "

Also, amend by striking out the last three subdivisions of section 2, and inserting the following :

EASTERN DIVISION — ERIE CANAL.

For repairing bottom and banks of the Erie canal along the premises of Stellman A. Fields, in the town of Canajoharie, so as to prevent leakage upon the premises of said Fields, and for constructing a waste ditch along the premises of Samuel Beekman in said town, so as to carry back waters of the Erie canal, the sum of five hundred dollars, or so much thereof as may be necessary.

For constructing iron bridge superstructures on the Eastern Division, made necessary in consequence of change of plan, the sum of one thousand three hundred and fifty-nine dollars.

For the construction of a farm bridge over the Rocky Rift feeder, on the lands of John H. Keyser, in the county of Montgomery, the sum of two hundred and fifty dollars, or so much thereof as may be necessary.

For constructing and maintaining a highway bridge over the Erie canal in the town of Watervliet, in the county of Albany, from Ireland Corners road on the west of said canal, to Island Park, on the east side of said canal, the sum of seven hundred and twenty dollars.

For raising iron bridge superstructure on Genesee street, Utica, to the height required and adapting approaches to the same the sum of two thousand two hundred and twenty-one dollars and forty cents.

For removing wall benches and constructing slope walls on the towing path side of the Erie canal between the east line of the city of Utica and lock No. 45 at Frankfort, and between lock No. 46 and Whitesboro street bridge in the city of Utica, the sum of twenty-nine thousand five hundred and forty-five dollars; and between lock No. 33 and section No. 75 the sum of three hundred and forty dollars.

For removing wall benches and constructing slope walls elsewhere on the Eastern Division of the Erie canal, under direction of the canal board, the sum of five thousand seven hundred and thirty-four dollars.

For constructing blind drains on section No. 111, west of lock No. 46, the sum of one thousand eight hundred dollars.

CHAMPLAIN CANAL.

For rebuilding wooden lock, of stone, on the Glen's Falls feeder, the sum of seventeen thousand one hundred and fourteen dollars.

For completing bridge over Fort Edward feeder the sum of five hundred dollars, or so much thereof as may be necessary.

MIDDLE DIVISION — ERIE CANAL.

For taking down dry vertical walls and relaying the same in cement, in order to avert claims against the State in consequence of leakage from the Erie canal into the cellars of adjoining property-owners in the city of Syracuse, and for removing bench walls and constructing vertical walls when necessary on the Syracuse level of the Erie canal, the sum of four thousand eight hundred and seventy-seven dollars and thirty-six cents.

For removing bench walls and substituting slope walls upon the towing-path of Jordan level and Long level of the Erie canal, and for constructing two hundred lineal feet of vertical walls opposite the marble works of McCarthy & Paul and the malt-house of Adam Miller & Co., in the village of Weedsport, the sum of twenty-four thousand three hundred and eighty-nine dollars and eighteen cents.

For extending abutments, raising and widening approaches to highway bridges at East Frankfort, the sum of two hundred and twenty-five dollars.

For constructing iron bridge superstructures on the Middle Division of the Erie canal, made necessary in consequence of the change of plan, the sum of fifteen thousand dollars.

For a wrought-iron foot bridge over the Erie canal at Franklin street, in the city of Syracuse, the sum of one thousand nine hundred and twenty-two dollars.

For building one hundred and fifty feet of vertical wall on the Erie canal in the village of Port Byron, in front of the property of the Thompson Patent Paper Manufacturing Co., the sum of seven hundred and fifty dollars, or so much thereof as may be necessary.

MISCELLANEOUS.

For rebuilding broken culverts at Oswego and repairing docking and improving side cuts at Salina, building vertical walls at necessary points on the Liverpool level and such other improvements of the Oswego canal as shall be directed by the Canal Commissioners, the sum of nine thousand eight hundred and thirteen dollars.

For repairing the State piers in the harbor at Geneva, the sum of one thousand four hundred and forty-eight dollars.

For constructing vertical wall on the berme side of the Cayuga and Seneca canal near the junction with the Erie canal in the village of Montezuma, the sum of one hundred and ninety-four dollars.

For the completion of the Oneida Lake canal, the sum of twenty-five thousand dollars.

WESTERN DIVISION — ERIE CANAL.

For deepening and improving the Erie canal between slip No. 3 and York street in the city of Buffalo, as authorized by the Canal Board August 6, 1872, and for completing division bank and other work connected therewith in Black Rock harbor so as to separate the canal from

and make it independent of said harbor, the sum of thirty-seven thousand four hundred and twenty-seven dollars and forty-two cents.

For completing the removal of bench walls and constructing slope, and removing about one hundred and fifty feet of slope wall and substituting vertical wall therefor in front of the premises of Nelson McCormack, about one mile east of the canal collector's office, in the village of Medina, in the Erie canal, if, in the judgment of the canal commissioner in charge, it shall be deemed necessary for commercial purposes, and for other works under contract in the Western Division not sufficiently provided for, the sum of nine thousand and fifty-six dollars and forty-eight cents.

For clearing out, improving, and deepening the canal an average of six inches below the established grade, between Thomas Creek culvert and Macedon locks, the sum of ten thousand dollars.

For constructing and maintaining a road bridge over the Erie canal connecting Averill and Munger streets, in the city of Rochester (subject to the provisions of chapter 399 of the Laws of 1874), the sum of ten thousand dollars.

For aiding in constructing a bridge over the Tonawanda creek (according to provisions made in chapter 863 of the Laws of 1867), the sum of eight thousand dollars.

For constructing one hundred and twenty-five feet of vertical wall on the berme side of the Erie canal in front of the premises of J. W. Parker and others, in the village of Port Gibson, Ontario county, the sum of six hundred and twenty-five dollars.

For deepening Erie basin, Buffalo harbor, the sum of twelve thousand dollars.

For dredging and excavating in Black Rock harbor, the sum of two thousand two hundred and twenty dollars.

For building one hundred and fifty feet of vertical wall on the berme bank of the Erie canal at Macedon, east of the bridge, commencing at the easterly end of the present wall, provided that parties interested in said wall, without expense to the State, make all necessary excavations, and place the banks of the canal in a suitable condition for said wall, as the canal commissioners in charge shall direct, the sum of four hundred and fifty dollars, or so much thereof as may be necessary.

For constructing iron bridge superstructures on the Western Division of the Erie canal made necessary in consequence of change of plan, the sum of fifteen thousand dollars.

For the construction by the Sodus Point and Southern Railroad Company of three hundred and fifty feet of vertical wall on the berme bank of the Erie canal in the village of Newark, Wayne county, about two hundred feet westerly from the point where the iron bridge of said road crosses the canal, the sum of one thousand five hundred dollars.

For removing the remains of State dam on Scaquadeep creek, and the bars in said creek adjacent thereto, the sum of seven hundred and forty dollars.

For the removal, replacement and repair of the bridge on Ohio street over the Clark and Skinner canal, the sum of 900 dollars, or so much thereof as may be necessary.

For repair and reconstruction of docking on the Clark & Skinner canal, the sum of nine hundred and seventeen dollars and eighty-five cents.

To pay the town of Pitsford four hundred dollars, and the town of

Brighton six hundred dollars, or so much thereof as may be necessary for damages caused by water flowing from the side cuts in the Erie canal during the freshets of the spring of 1873.

For aiding in the construction of a bridge over the Genesee river at Mount Morris, used as tow-path of the canal, three thousand dollars, or so much thereof as may be necessary.

For constructing one hundred feet of vertical walls on the berme side of the Erie canal in the village of Pittsford, in front of Eckler's warehouse, coal and lumber yard, commencing at the east end of the vertical wall already built, the sum of three hundred and thirteen dollars.

Amend section 3 by inserting, after the words "seventy-three," in line 5 of said section, the words "being an act entitled 'An act to authorize a tax of seven-tenths of a mill per dollar of valuation for the payment of the awards of the Canal Appraisers and expenses attending the same, and of the Canal Commissioners to pay certificates of indebtedness on interest now outstanding, and to supply deficiencies in appropriations for new work under act chapter 850 of the Laws of 1872, and to provide for deficiency in the sinking funds under sections 1 and 3 of article 7 of the Constitution.'"

Amend further by striking out all of section 6.

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Selkreg
Coe	Gross	Lowery	Thompson
Cole	Jacobs	Madden	Tobey
Dayton	Johnson	Parmenter	Wellman
Dickinson	King	Ray	Wood
Dow	Laning	Robertson	Woodin
			24

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Thompson
Coe	Gross	Madden	Tobey
Cole	Jacobs	Parmenter	Wellman
Dayton	Johnson	Ray	Wood
Dickinson	King	Robertson	Woodin
Dow	Laning	Selkreg	
			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly returned the bill entitled "An act in relation to regulating, grading, and otherwise improving streets, roads, and avenues in the city of New York, and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and in relation to opening streets, avenues, roads or public parks and places in the city of New York," with a message that they had concurred in the passage thereof, with the following amendments:

Strike out all of section 1, after the words "seventy-three," in line 12, engrossed bill.

Section 2, line 3, strike out the word "comptroller," and insert in lieu thereof the word "mayor."

Same section, line 8, strike out the word "comptroller," and insert in lieu thereof the word "mayor."

Same section, line 17, strike out the word "comptroller," and insert in lieu thereof the word "mayor."

Strike out all of section 2, after the word "accept," in line 18.

Strike out all of section 3, after the word "bonds," in line 9, and insert in lieu thereof the words "until an appropriation is made by the board of estimate and apportionment to cover such expense as hereinafter provided."

Strike out sections 4, 5, and 6, and insert the following:

"§ 4. Before any of said work is advertised to be let, as in the first section of this act provided, it shall be the duty of the head of the department having, by law, the charge of the examination of such work, to transmit to the board of estimate and apportionment of said city a detailed statement or estimate of the particulars of the work to be performed, and of the approximate cost of performing the same; and, upon considering such statement and estimate, the said board may make an appropriation to cover the expense of such work, provided that the total amount of the appropriation made by said board for such work in any one year shall not exceed the amount of assessment imposed or collected in said city during such year.

"§ 5. It shall be the duty of the board of estimate and apportionment of said city to ascertain, fix and determine the amount of the indebtedness of said city upon assessment bonds secured upon and payable from assessments imposed or to be imposed for local improvements in said city, and such portion of the indebtedness of said city, upon assessment bonds as shall be certified by said board of estimate and apportionment as not being secured upon or payable from assessments, it shall be the duty of said comptroller to fund, in consolidated stock of said city, to be issued pursuant to the powers now conferred by law upon the comptroller to issue such stocks."

"§ 6. In all proceedings now pending or hereafter commenced for the purpose of acquiring title on behalf of the city of New York to any streets or avenues in the city of New York, in which only nominal damages are awarded to the owners of land or premises taken, the compensation of the commissioners of estimate and assessment shall not exceed in the aggregate, exclusive of expense hereinafter mentioned, the sum of thirty cents a foot for the lineal extent of such street or avenue, or the portion thereof so to be opened or altered; and in proceedings now pending or hereafter commenced for such purpose in which substantial damages shall be estimated and awarded, the compensation of the commissioners of estimate and assessment, exclusive of the expenses hereinafter mentioned shall be taxed and allowed by the court in which the pro-

ceedings are pending at such rate or amount as shall be reasonable and just.

"§ 7. No costs, charges or expenses of any description shall be allowed in such proceedings excepting the compensation of the commissioner, as above provided, and the reasonable disbursements and liabilities made or incurred for clerical services in the making of the said report, for the appraisement of the property taken for surveys and maps thereof, when so ordered by the court, for rent of premises actually used, and for stationery, printing and advertising.

"§ 8. An estimate of all the costs, charges, liabilities, and expenses in such proceedings shall be filed hereafter with the clerk of the city and county of New York at least ten days before the same shall be presented for taxation, and a notice of at least ten days shall be published in such paper or papers as shall be designated by law for the publication of notices in such proceedings; of the time and place of taxing said costs, charges, and expenses, which shall thereupon be taxed by a judge of the supreme court, or a referee under his special order; and before the report of said commissioners shall be presented for confirmation, and said bill of costs and charges, as taxed and allowed, shall hereafter be paid by the comptroller upon the confirmation of the report or the discontinuance of such proceedings to the respective parties entitled to receive the same as set forth in the bill of costs and charges allowed and taxed by the court.

"§ 9. In proceedings which have been or may hereafter be discontinued, the costs and charges which have been or may be taxed and allowed by a judge of the supreme court, or a referee duly appointed therefor, shall be paid by the comptroller, and the board of estimate and apportionment are hereby authorized and directed to include in the estimate and apportionment, made by said board for the support of the municipal government for each year, an amount sufficient to pay such costs and charges as have heretofore been taxed and not included in the estimate and apportionment made for any former year."

Change section 7 to section 10.

Amend the title so as to read as follows:

"An act in relation to regulating, grading and otherwise improving streets, roads and avenues in the city of New York and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and to provide for the payment of services rendered in laying out and opening streets and avenues in the city New York."

Mr. Woodin moved that the Senate do non-concur in said amendments, that a committee of conference be appointed thereon, and the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Woodin, Booth and Fox.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

The Assembly sent for concurrence a resolution in the words following:

Whereas, For the past six years a successful armed resistance to Spanish authority in the island of Cuba has been maintained by a people who have organized and established a government, republican in form, which guaranties to all its citizens freedom of person, in religion, in the right to acquire and enjoy property and participation of its affairs; and,

Whereas, The republic of Cuba has not only maintained its position, but persistently lessened the area of Spanish rule until it is now recognized over less than one-third of the territory of that island; and,

Whereas, The war now being waged on said island is characterized by all the ferocity of semi-barbarism, the consequences of which are prejudicial to the social and commercial interests of our entire people; and,

Whereas, It is apparent that the people represented by the republic of Cuba, possess the ability to drive the Spanish army and representatives of Spanish authority ultimately to the seaboard towns for their protection, when the civilized world must accord to that republic its independence; and,

Whereas, It is the duty of the government of the United States to always extend its sympathies, and, when consistent, its aid, to any people struggling to establish a free republican government; therefore, disclaiming any wish or desire to give to this subject any party or political bias,

Resolved (if the Senate concur), That, in the opinion of this Legislature, the time has arrived when it is the duty of the government of the United States to take such action as is best calculated to terminate the war now waging in the Island of Cuba, and secure to its people the advantages of a free government.

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to pass such measures as will secure to the republic of Cuba all the rights and privileges belonging to belligerents in war.

Ordered, That said resolutions be laid upon the table.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to provide for the removal of obstructions from the Delaware river and certain of its branches, and to make an appropriation therefor."

Assembly, "An act in relation to the collection of uncollected taxes in the village of Brockport."

"An act to amend an act entitled 'An act to amend the act entitled An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act establishing a capital police district, and to provide for the government thereof,' passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany, passed March 16, 1870; passed April 15, 1871."

After some time spent therein, the President resumed the chair, and Mr. Gross, from the said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Gross, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to appoint commissioners to authorize the erection of a city hall in and for Long Island City, and to provide for the expenses of the same."

"An act to amend chapter 495 of the Laws of 1874, entitled 'An act in relation to certain assessments for sewers in the city of Brooklyn.'"

"An act to amend the charter of the city of Brooklyn."

After some time spent therein the President resumed the chair, and Mr. Laning, from said committee, reported in favor of the passage of the first named bill, with amendments.

Mr. King moved to disagree with the report of the committee on the first named bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cole	King	Robertson	Wood
Dickinson	Lowery	Selkreg	Woodin
Dow	McGowan		
			10

FOR THE NEGATIVE.

Dayton	Jacobs	Ledwith	Ray
Fox	Johnson	Lord	Tobey
Gross	Laning	Madden	Wellman
			12

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill ordered to a third reading.

Mr. Laning, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Wood, from the committee on finance, to which was referred the the bill entitled "An act in relation to the expenses of contested seats in the Legislature of this State," reported in favor of the passage of the same.

On motion of Mr. Wood, and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cole	Johnson	Lowery	Selkreg
Dayton	King	Madden	Thompson
Dickinson	Laning	McGowan	Tobey
Dow	Ledwith	Ray	Wellman
Jacobs	Lord	Robertson	Wood
			20

FOR THE NEGATIVE.

Gross	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Dickinson, the Senate adjourned.

SATURDAY, MAY 15, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Jacobs, the reading of the journal of yesterday was dispensed with.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 807 of the Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act authorizing the State Homœopathic Medical Society to change the time for holding annual, regular or special meetings," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Johnson moved that the Senate adjourn to-day at one o'clock, and that when it does adjourn it adjourn to meet on Monday evening at half-past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Selkreg moved to take from the table the report of the committee of the whole upon the Assembly bill entitled "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes.'"

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Selkreg moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill having been announced for a third reading, on motion of Mr. Selkreg, was amended as follows:

Strike out all after the enacting clause and insert as follows:

SECTION 1. The title of chapter 224 of the Laws of 1874, entitled "An act to repeal chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,' so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison and Steuben," is hereby amended so as to read as follows:

"An act to repeal chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,' so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison, Steuben and Montgomery."

"§ 2. Chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,' passed May 8, 1873, is hereby repealed so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison, Steuben and Montgomery."

"§ 3. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act to amend an act and the title of an act entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes, so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison and Steuben,' passed April 21, 1874."

By unanimous consent said bill was laid upon the table.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act relative to the Civil Code."

"An act in relation to a public square in the village of Manchester, Ontario county."

Assembly, "An act providing for the election of bay constables in the town of East Hampton, in the county of Suffolk, and to define their duties."

After some time spent therein the President resumed the chair, and Mr. Cole, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Cole, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills and concurrent resolutions entitled as follows:

"An act relative to certain lands in the village of Flushing, devised by Silas Hicks, deceased, to his wife, since deceased, during the term of her life, and upon her decease to trustees, and to authorize the sale thereof and the disposition of the proceeds of sale in accordance with the provisions of said will."

"An act to prevent and punish persons trespassing upon private lands by landing any vessel, boat, scow or other craft upon or along the shores of Seneca lake."

"An act to enable the Buffalo General Hospital to change the number of its trustees."

"An act to regulate investments by insurance companies."

"An act to amend an act entitled 'An act to amend the act entitled An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act establishing a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany, passed March 16, 1870, passed April 15, 1871."

"An act to amend an act entitled 'An act to incorporate the city of Watertown,' passed May 8, 1869, and chapter 452 of the Laws of 1870, and chapter 810 of the Laws of 1871, amendatory thereof."

"An act to authorize the common council of the city of Buffalo to discontinue East street between Parish and South streets and Dearborn street between Parish and Tonawanda streets.

"An act to provide for the compensation of non-resident justices sitting and acting as members of the general term of the first judicial department."

"Concurrent resolution proposing an amendment to section 4 of article 5 of the Constitution."

"Concurrent resolution proposing an amendment to section 3, article 5 of the Constitution."

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act authorizing the appointment of Centennial Commissioners."

"An act making an appropriation for the purpose of restocking the public streams of this State with speckled trout and other fish."

"An act supplemental to chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific, and missionary societies,' and the several acts amendatory thereof."

After some time spent therein the President resumed the chair, and Mr. Wellman, from said committee, reported in favor of the passage of the said bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to amend chapter 389 of the Laws of 1854, entitled 'An act to amend and consolidate the laws in relation to Amsterdam village, in Montgomery county.'"

"An act to confirm and legalize the official acts of Deliverance Rogers, as notary public of the county of Washington, since March 30, in the year of our Lord 1875."

"An act in relation to the justices of the peace in the towns of Gates, Greece and Irondequoit, in Monroe county, who reside in that part of said towns added to the city of Rochester, by chapter 482 of the Session Laws of 1874."

After some time spent therein the President resumed the chair, and Mr. Wood, from said committee, reported in favor of the passage of the first and last named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Wood, from the same committee, reported in favor of the passage of the second named bill, with amendments, the title amended by inserting the word "official," between the words "the" and "acts," which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act authorizing the city of Buffalo to take certain lands for a public park, and to provide for the payment thereof."

"An act to authorize the city of Buffalo to issue its bonds for the purpose of extending the supply of water to the city and its inhabitants."

"An act further to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific, and missionary societies,' and the several acts amendatory thereof."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. Laning moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Bradley, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Dickinson moved that the Assembly bill entitled "An act to amend chapter 426 of the Laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865, passed April 28, 1865,' entitled 'An act to amend an act entitled An act in relation to the compensation of the several officers of State prisons,' passed April 23, 1864," be committed to the committee on State prisons, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tobey moved that the Assembly bill entitled "An act to fix the compensation of certain officers in the city and county of New York," be committed to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the proper drainage of lands within the corporate limits of the city and county of New York,' reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to prevent the taking of fish in or from the waters of Tonawanda creek, so called, and its branches, in the county of Wyoming."

"An act to amend chapter 154 of the Laws of 1875, entitled 'An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany.'"

"An act in relation to the Inebriates Home for Kings county, and to amend chapter 687 of the Laws of 1872, entitled 'An act to provide means for the support of the Inebriates Home for Kings county and the better government thereof.'"

After some time spent therein, the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of said bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to except a railroad proposed to be constructed in the towns of New Utrecht, Gravesend, and Flatlands from the provisions of an act to regulate the construction and protection of railway crossings in the county of Kings,' passed April 19, 1871."

"An act to amend chapter 367 of the Laws of 1873, entitled 'An act amending an act entitled An act to establish free schools in district No. 3 of the town of Flushing,' passed April 16, 1857, enlarging said district and authorizing a greater school tax therein."

"An act to repeal section 10 of chapter 398 of the Laws of 1872, entitled 'An act to incorporate the Batavia Literary Association, and appropriating certain moneys thereto.'"

After some time spent therein the President resumed the chair, and Mr. Wellman, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to extend the time within which the Brooklyn Guaranty and Indemnity company, a corporation created under chapter 481 of the Laws of 1874, may commence the transaction of its business."

"An act in relation to the Dale Cemetery Association in the town of Ossining, in the county of Westchester."

"An act to incorporate the Bethlehem Mutual Insurance Association, and for other purposes."

After some time spent therein, the President resumed the chair, and Mr. Madden, from said committee, reported in favor of the passage of said bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to authorize the various associations and societies, incorporated under the laws of the State of New York for the purpose of taking care of and protecting destitute infant minor children, to bind out by indenture destitute children who are in their care and keeping."

"An act explaining section 1 of chapter 251 of the Laws of 1875, entitled 'An act for the support and maintenance of prisoners confined upon civil process.'"

"An act to authorize the coroners of the county of New York to employ a stenographer in certain cases."

After some time spent therein the President resumed the chair, and Mr. Parmenter, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to release the interest of the people of the State of New York in certain real estate, of which William Grant, late of the town of Arcadia, in the county of Wayne, died seized, and authorizing his heirs at law to hold and convey the same."

"An act to amend chapter 331 of the Laws of 1857, entitled 'An act to make the office of Supervisor in Rensselaer county a salaried office, and to regulate the compensation of the clerk of the board of supervisors, and other officers in said county,' passed April 10, 1857."

"An act to incorporate the fire department of the North Shore of Staten Island."

After some time spent therein the President resumed the chair, and Mr. Dickinson, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Dickinson, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. King moved that the committee of the whole be discharged from the further consideration of said bill, and the same ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative :

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to taxes on lands sold by the State, and to amend the Revised Statutes in relation thereto," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tobey, from the committee on insurance, to which was referred the Assembly bill entitled "An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tobey, from the committee on insurance, to which was referred the Assembly bill entitled "An act to regulate insurance upon property of deceased persons," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. King, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend chapter 253 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend chapter 555 of the Laws of 1874 entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to exempt property, real and personal, of the Society of the New York Hospital, from taxation."

"An act to release to the heirs at law and devisees of William Moffat, late of Syracuse, the right, title and interest of the people of the State of New York in and to certain real estate in the city of Syracuse."

"An act to amend chapter 676 of the Laws of 1870, entitled 'An act to incorporate the Richmond Hotel Company of Staten Island.'"

After some time spent therein the President resumed the chair, and Mr. Tobey, from said committee, reported in favor of the passage of said bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 22, 1869."

"An act authorizing the State Homœopathic Medical Society to change the time for holding annual, regular or special meetings."

"An act to amend chapter 556 of the Laws of 1874, entitled 'An act to enable the towns of East Chester and Pelham, in the county of Westchester, to purchase and obtain lands for the improvement of East Chester creek.'"

After some time spent therein, the President resumed the chair, and Mr. Gross, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Gross, from the same committee, reported progress on the last named bill and asked leave to sit again.

Mr. Laning moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to amend chapter 807 of the Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester, and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein.'"

"An act to amend an act entitled 'An act to provide for the proper drainage of lands within the corporate limits of the city and county of New York.'"

After some time spent therein the President resumed the chair, and Mr. McGowan, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and the same ordered to a third reading.

The Assembly bill entitled "An act to repeal section 1 of title 6 of chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Coe	Gross	Lord	Thompson
Gole	Jacobs	Lowery	Tobey
Dayton	Johnson	Madden	Wellman
Dickinson	King	McGowan	Wood
Dow	Laning	Robertson	Woodin
Fox	Ledwith	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend chapter 40 of

the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water,' and supplementary thereto," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Avon," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to extend the powers of the trustees of the village of Wilson, in the county of Niagara," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the bills entitled as follows:

"An act to amend chapter 395 of the Laws of 1853, entitled 'An act for the incorporation of library companies.'"

"An act providing for the appointment of trustees of the estates of persons absenting themselves from their domiciles in this State and remaining unheard of, or suddenly disappearing."

"An act to amend chapter 51 of the Laws of 1864, entitled 'An act in relation to the Bureau of Military Statistics.'"

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Wellman offered the following:

Resolved (if the Assembly concur), that a respectful message be sent to His Excellency the Governor requesting the return of Senate bill No. 264, entitled 'An act to repeal section 3, of chapter 130 of Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax in aid of Friendship academy.'"

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Wellman, from the committee on State prisons, to which was recommended the Assembly bill entitled "An act to amend chapter 426 of the Laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865,' passed April 28, 1865, entitled 'An act to amend an act entitled An act in relation to the compensation of the several officers of State prisons,' passed April 23, 1864," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act providing for the more secure storage of oil in tanks or other receptacles."

"An act to amend chapter 825 of the Laws of 1873, entitled 'An act to authorize the laying of rails and to run cars thereon for the transport-

ation of passengers in certain streets and avenues in the upper part of the city of New York."

"An act to amend chapter 21 of the Laws of 1855, entitled 'An act in relation to non-resident highway taxes upon certain lands in Essex county.'"

After some time spent therein, the President resumed the chair, and Mr. Fox, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Fox, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to amend chapter 219 of the Laws of 1871, entitled 'An act to provide redress for words imputing unchastity to a female,' passed March 29, 1871."

"An act to amend chapter 426 of the Laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865, passed April 28, 1865,' entitled 'An act to amend an act entitled An act in relation to the compensation of the several officers of State prisons,' passed April 23, 1864."

"An act to prevent the commission of frauds in the purchase and sale of real estate in the counties of New York and Kings."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Johnson, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Tobey, the Senate adjourned.

MONDAY, MAY 17, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Ray, the reading of the journal of Saturday, May 15, was dispensed with.

The Assembly returned the following entitled bill:

"An act to amend chapter 344 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 13, 1860, and to define the term of office of the acting superintendent and auditing superintendent of the poor now in office under said act."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the resolution recalling from the Governor Senate bill No. 264, entitled "An act to repeal section 3 of chapter 130 of the Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax, in aid of Friendship academy," with a message that they had concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The bill entitled "An act to amend an act entitled 'An act to incorporate the city of Watertown,' passed May 8, 1869, and chapter 459 of the Laws of 1870, and chapter 810 of the Laws of 1871 amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Selkreg
Connelly	Kellogg	McGowan	Thompson
Dayton	King	Parmenter	Wellman
Dickinson	Laning	Ray	Wood
Fox	Ledwith	Robertson	Woodin
Gross	Lowery		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to prevent and punish persons trespassing upon private lands by landing any vessel, boat, scow or other craft upon or along the shores of Seneca lake," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Johnson	Madden	Thompson
Connelly	Kellogg	McGowan	Tobey
Dayton	King	Parmenter	Wagner
Dickinson	Laning	Ray	Wellman
Dow			

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 17, 1875. }

To the Senate :

I return herewith, without my approval, Senate bill No. 262, entitled "An act to confirm and legalize certain acts of the common council of the city of Elmira."

The bill enacts that a resolution of the common council of the city of Elmira ordering the paving of a street with a special patent pavement—the contract of the mayor under such resolution—and the resolution of the council assessing for the expenses of the work "are hereby declared valid and legal, and in full force and effect." It then adds that "all official acts of the said common council and mayor" under the said resolutions, "the contract made pursuant thereto," and "all acts relative to the ordering and paving" of the street and "the assessment for the

cost and expenses thereof" shall be held "valid and legal and in full force and effect."

The last clause does not specify what acts it legalizes. It does not confine its operations to acts of the mayor and common council or of any public officer.

No part of the bill specifies the nature of the illegalities which it cures. It is not limited to informalities or irregularities which involve no substantial wrong to individuals and no violation of public policy. If there were surprise, fraud or corruption; if there were a total want of jurisdiction; if there were a breach of a sound public policy which established guards for the protection of private rights against abuses in assessments; if there were substantial injury and injustice to individuals; if there were every conceivable wrong possible to occur in such a matter, this bill, in as sweeping terms as human language can supply, adopts them on the part of the legislative power of the State; strikes out of existence the private rights which have been disregarded, and annuls all judicial remedies by which they can be asserted or defended.

In a similar case, where the language of the bill was certainly no broader, and where the defects were not alleged to be more than technical or formal, the mayor and other officers of one of our principal cities attended in person to show the great evils that would result if the defects were not cured; but I felt it to be a clear duty to withhold my sanction from a bill expressed in language of dangerous generality. Such loose legislation is of evil example upon the statute book, even if it works no actual injustice in the case which is the first precedent. Those who seek these bills are anxious to be sure to make them broad enough for their own present object; and are not concerned as to the possible injury and injustice to others, or the evil policy that may inadvertently result. The loosest precedents are most likely to be copied. A bad practice in a few cases grows into all authority.

Healing statutes are enacted where public policy would sustain official acts that are invalid by reason of oversight or inadvertence, and some private rights are benefited and some harmed by the confirmation. On the same principle, instruments executed by private persons are sometimes aided. Out of such precedents has arisen a disposition on the part of municipalities to apply for statutes curing informalities or irregularities in the acts of their officers in respect to local assessments. A natural inclination to favor their own powers, and to fall in with expedients which increase the fund at their disposal for expenditure out of the same taxes, tends to enlarge the scope of such bills. Questions between the municipality and particular tax-payers become frequent. Hearings before the Governor are asked for. In a recent instance numerous parties and several counsel attended. In the present instance nine suits were pending when the bill passed. In such cases every variety of conflicting rights and conflicting equities are presented. It is quite clear that such bills, if tolerated at all in cases that are disputed or in the process of litigation, should show on their face that they are carefully limited in their operation; that they will not contravene the policy which imposes reasonable restraints for the protection of individual and personal rights of innocent third parties.

It is a sufficient objection to the present bill that it contains more of these qualifications, but is expressed in the broadest terms.

But to this objection is added the fact that the several remonstrances of tax-payers of Elmira allege that substantial wrongs were committed.

in the assessment; that jurisdiction was never acquired; that the proceedings were tainted by fraud and bribery; and that aldermen were interested in the contract, which was thereby rendered void by an express provision of the charter of Elmira.

I do not assume that these allegations are true in fact; but I cannot see that those who make them should be cut off from the right of trying to prove them in the courts; or that the issues they raise ought to be tried in the Executive chamber.

The saving clause in the bill saves nothing; for the nine suits existing when the bill was passed, being instituted by the city, have been, as I am informed, or are about to be, discontinued, for the purpose of renewing them after the bill should become a law.

SAMUEL J. TILDEN.

Mr. Bradley moved that said message be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from His Excellency the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 17, 1875. }

To the Senate:

I return, without my approval, Senate bill No. 249, entitled "An act to authorize the board of police of the city of New York to grant new trials."

This bill is objected to by every member of the board, and by the experienced officers of the police. Their unanimous judgment has been communicated to me that, if it becomes a law, it will seriously impair the discipline of the police force, on the efficiency of which the good order of the metropolis depends. It is said to have been introduced in the interest of two dismissed policemen, who would like to be restored, but whose hope would be sure to prove illusory.

I have no doubt, in forming an independent conclusion, that the bill ought not to become a law. Certainty in the punishment for infractions of discipline, disobedience or neglect of duty, is of far more importance than severity. Celerity in the infliction of penalties, finality in the trial, are the essence of discipline. Such trials now consume an afternoon session, on about three days of each week. Every person convicted will desire a re-trial, and will struggle to make a case for restoration. Evidence will be lost, the fear of punishment weakened, and the effect of punishment actually imposed will be impaired by the continuing hope of eventual escape. The board will be overwhelmed with trials.

If an injustice to an individual does sometimes happen by a misjudgment, it is an insignificant evil compared with the introduction of a new and potent element of disorganization and demoralization to the whole service.

The act provides that, in case of a decision in favor of the policemen, on a new trial, he shall be restored by operation of law. In the meantime the office will have been filled, and this provision would produce two incumbents in one office, and would be prolific of claims for back salaries.

SAMUEL J. TILDEN.

Mr. Woodin moved that said message be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to authorize the common council of the city of Buffalo to discontinue East street, between Parish and South streets, and Dearborn street, between Parish and Tonawanda streets," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Johnson	Madden	Thompson
Cole	Kellogg	McGowan	Tobey
Connelly	King	Parmenter	Wagner
Dickinson	Laning	Ray	Wellman
Fox	Lord	Robertson	Woodin
			24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the Buffalo General Hospital to change the number of its trustees," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Selkreg
Coe	Kellogg	McGowan	Thompson
Cole	King	Parmenter	Tobey
Connelly	Laning	Ray	Wellman
Dickinson	Lord	Robertson	Woodin
Gross	Lowery		
			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the compensation of non-resident justices sitting and acting as members of the general term of the first judicial department," was read a third time.

The President put the question whether the Senate would agree to final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Ray	Wagner
Coe	Laning	Robertson	Wellman
Connelly	Ledwith	Selkreg	Wood
Gross	Lord	Tobey	Woodin
Kellogg			
			17

FOR THE NEGATIVE.

Dickinson	Lowery	McGowan	Thompson
Johnson	Madden	Parmenter	
			7

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to certain lands in the village of Flushing, devised by Silas Hicks, deceased, to his wife, since deceased, during the term of her life, and upon her decease to trustees, and to authorize the sale thereof, and the disposition of the proceeds of sale in accordance with the provisions of said will," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Kellogg	Madden	Thompson
Cole	King	Parmenter	Tobey
Connelly	Laning	Ray	Wood
Dickinson	Ledwith	Robertson	Woodin
Fox			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to regulate investments by insurance companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Bradley	Dickinson	Madden	Selkreg
Coe	Fox	Parmenter	Tobey
Cole	Johnson	Ray	Wagner
Connelly	Laning	Robertson	Woodin
Dayton			

17

FOR THE NEGATIVE.

King	Lowery	Thompson
------	--------	----------

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend the act entitled An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act establishing a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany, passed March 16, 1870, passed April 15, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Kellogg	Madden	Thompson
Connelly	King	Parmenter	Wagner
Dayton	Ledwith	Ray	Wellman
Dickinson	Lord	Robertson	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 6, 1874," having been announced for a third reading,

On motion of Mr. Robertson, and by unanimous consent, said bill was amended as follows:

"§ 2. Section 14 of said act is hereby amended so as to read as follows:

"§ 14. The commissioners of the department of public parks of the city of New York, shall have the exclusive power to devise plans to locate, lay out, construct and maintain all public parks, bridges and tunnels, and the department of public works shall have exclusive power to construct and maintain all streets, roads and avenues, also to open, regulate, grade, flag, curb, gutter, pave, repave, maintain and repair all streets roads and avenues, also to lay crosswalks and sidewalks, and to keep the same clear of obstructions, and to control and issue permits for street vaults and openings in sidewalks, also to locate, construct and maintain all sewers, drains, blind-drains and underdrains, within the territory hereby annexed, and the said commissioners of public parks shall have exclusive power to locate, lay out and establish streets, roads and avenues, and the widths and grades thereof and to give the names thereto, except as to such streets, roads and avenues within said territory as are laid down and established by the commissioners appointed under chapter eight hundred and forty-one of the Laws of eighteen hundred and sixty-eight, on a map of the same, filed in the office of the register of the county of Westchester, on the twenty-third day of February, 1871, which streets and avenues, with the grades and lines thereof as as laid down on said map, are hereby confirmed and established, except so far as the same have been changed or modified by law, subject, however, to be altered by said commissioners of public parks, whenever they or a majority of them, may deem such change required, and also except that the several surveys, maps, plans and profiles of streets, roads and avenues that shall have been made, laid out, filed or adopted by the commissioners of public parks within the territory hereby annexed under any law of this State, authorizing the same, are hereby confirmed and established, subject to be altered, however, in the same manner as is hereinbefore provided, as to the survey and map of the town of Morrisania. After the first day of January, eighteen hundred and seventy-four, in all cases where proceedings have been commenced for the opening of any streets, roads or avenues, or for the construction of any street, road, avenue or sewer within the territory hereby annexed, the same shall be continued and completed under the direction of the said commissioners of public parks under the laws now in force, in the territory hereby annexed, for opening or constructing the same. All proceedings hereafter to be taken by virtue of this act by said commissioners of the department of public parks, or by the department of public works, within the territory hereby annexed, shall be taken and prosecuted under and in pursuance of the provisions of the laws now in force, or which may hereafter be passed for the taking and prosecuting of proceedings in the city of New York, by the the said commissioners of the department of public parks or the depart-

ment of public works. The department of public works of the city of New York is hereby authorized to construct and lay one Croton water main through and along the Third avenue in the territory hereby annexed from the Harlem river to Fordham station, on the New York and Harlem Railroad, and to supply said main with Croton water by such means and in such manner as said department may deem expedient, and all laws now in force conferring on the department of public works authority to extend the supply of Croton water to any part of said city, are hereby applied and made applicable, as far as may be, to the part of said annexed territory hereinbefore referred to. The board of estimate and apportionment is hereby authorized to make such appropriations as they shall deem necessary for the purposes of the department of public works in the construction of the improvements authorized under the provisions of this act, and the amounts so appropriated shall be levied, assessed, and collected in the manner now provided by law in the city and county of New York.

“§ 3. This act shall take effect immediately.”

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dickinson	McGowan	Thompson
Coe	Kellogg	Parmenter	Tobey
Cole	King	Ray	Wagner
Connelly	Laning	Robertson	Wood
Dayton	Madden	Selkreg	Woodin

20

FOR THE NEGATIVE.

Ledwith

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled “An act confirming the title of the trustees of school district No. 3, in the town of Amherst, in the county of Erie, to the lands and property of the Williamsville academy, in said county,” was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Johnson	Madden	Thompson
Cole	King	McGowan	Tobey
Connelly	Laning	Parmenter	Wagner
Dayton	Ledwith	Ray	Wellman
Dickinson	Lord	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled “An act to provide for the construction of sewers in the city of Yonkers,” was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Robertson
Coe	Johnson	Lowery	Selkreg
Cole	Kellogg	Madden	Thompson
Connelly	King	McGowan	Tobey
Dayton	Laning	Parmenter	Wood
Dickinson	Ledwith	Ray	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers,' passed June 1, 1872; passed February 28, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Thompson
Coe	Johnson	McGowan	Tobey
Cole	King	Parmenter	Wagner
Connelly	Laning	Ray	Wellman
Dayton	Ledwith	Robertson	Woodin
Dickinson	Lord	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 42 of the Laws of 1872, entitled 'An act to authorize the election of a police justice in and for the village of Flushing, Queens county, and to prescribe his duties and compensation, and regulating charges in criminal proceedings in said village,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Coe	Kellogg	McGowan	Thompson
Cole	King	Moore	Tobey
Connelly	Laning	Parmenter	Wagner
Dayton	Ledwith	Ray	Wellman
Dickinson	Lord	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in regard to the boundary monuments of the State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Thompson
Coe	Gross	Madden	Wagner
Cole	King	Parmenter	Wood
Connelly	Laning	Ray	Woodin
Dickinson	Ledwith	Robertson	

19

FOR THE NEGATIVE.

Johnson	Selkreg		
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the city of Schenectady to raise money for school purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Selkreg
Coe	King	Moore	Thompson
Cole	Laning	Parmenter	Tobey
Connelly	Ledwith	Ray	Wellman
Dayton	Lord	Robertson	Woodin
Dickinson	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter fifty-nine of the Laws of 1868, entitled 'An act to establish the office of receiver of taxes in the town of Greenburgh, in the county of Westchester, State of New York,' was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Coe	Johnson	McGowan	Thompson
Cole	King	Parmenter	Tobey
Connelly	Laning	Ray	Wellman
Dickinson	Lord	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the estate of the infant children and heirs at law of Martha West Yala, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Robertson
Coe	Johnson	Madden	Selkreg
Connelly	King	McGowan	Thompson
Dayton	Laning	Moore	Wagner
Dickinson	Ledwith	Parmenter	Wellman
Fox	Lord	Ray	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to further amend chapter 138 of the Laws of 1858, entitled 'An act to authorize the improving and keeping in repair a certain highway in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same in repair,' passed March 24, 1857, passed April 12, 1858," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	McGowan	Thompson
Coe	Laning	Parmenter	Tobey
Cole	Ledwith	Ray	Wagner
Dickinson	Lord	Robertson	Wood
Fox	Lowery	Selkreg	Woodin
Gross	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the collection of uncollected taxes in the village of Brockport," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Johnson	McGowan	Thompson
Cole	King	Moore	Tobey
Connelly	Laning	Parmenter	Wellman
Dayton	Ledwith	Ray	Wood
Dickinson	Lord	Robertson	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the removal of obstructions from the Delaware river and certain of its branches, and to make an appropriation therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Ledwith	Ray	Wagner
Coe	Lowery	Robertson	Wellman
Dayton	Madden	Selkreg	Wood
Johnson	McGowan	Thompson	Woodin
King	Parmenter	Tobey	

19

FOR THE NEGATIVE.

Connelly	Dickinson		
----------	-----------	--	--

2

Mr. King moved to reconsider the vote by which said bill was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Johnson	McGowan	Thompson
Cole	King	Moore	Tobey
Dayton	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Wood
Fox	Lord	Robertson	

23

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	King	McGowan	Thompson
Coe	Laning	Middleton	Tobey
Cole	Ledwith	Parmenter	Wagner
Dayton	Lord	Ray	Wellman
Fox	Lowery	Robertson	Wood
Gross	Madden	Selkreg	Woodin
Johnson			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dickinson	Ledwith	Thompson
Coe	Fox	McGowan	Tobey
Cole	Gross	Moore	Wagner
Connelly	Johnson	Parmenter	Woodin
Dayton	Laning	Robertson	

19

FOR THE NEGATIVE.

King

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 495 of the Laws of 1874, entitled 'An act in relation to certain assessments for sewers in the city of Brooklyn,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Moore	Thompson
Coe	Laning	Parmenter	Tobey
Cole	Ledwith	Ray	Wagner
Connelly	Lord	Robertson	Wellman
Fox	Lowery	Selkreg	Woodin
Gross	McGowan		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dickinson	Ledwith	Parmenter
Coe	Fox	Lord	Ray
Cole	Gross	Lowery	Robertson
Connelly	Johnson	McGowan	Wagner
Dayton	Laning	Moore	Woodin

20

FOR THE NEGATIVE.

Selkreg

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to release the interest of the State of New York in certain real estate in the city of Albany of which William Wilcox died seized," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Coe	Kellogg	Moore	Tobey
Cole	King	Parmenter	Wagner
Connelly	Laning	Ray	Wellman
Dayton	Ledwith	Robertson	Wood
Dickinson	Lowery	Selkreg	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Johnson	McGowan	Thompson
Cole	King	Moore	Tobey
Connelly	Laning	Parmenter	Wagner
Dayton	Ledwith	Ray	Wellman
Fox	Lord	Robertson	Woodin
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act relative to the Civil Code," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	Kellogg	Moore	Wagner
Dayton	King	Parmenter	Wellman
Dickinson	Laning	Ray	Woodin
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Fox, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act relating to the repavement of streets, avenues, and highways in the city of New York heretofore paved with wood or concrete," reported in favor of the passage of the same, with amendments, the title amended so as read "An act to provide for a uniform system for the repavement of streets, avenues, and places in the city of New York," and said bill was committed to the committee of the whole.

Mr. Fox, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act relating to armories in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to regulate the price of, and

the quality of gas used in the city of Yonkers, in the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act in relation to a public square in the village of Manchester, Ontario county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Selkreg
Coe	Gross	Lowery	Thompson
Cole	Johnson	McGowan	Tobey
Connelly	King	Parmenter	Wagner
Dayton	Laning	Ray	Wellman
Dickinson	Ledwith	Robertson	Wood
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act providing for the election of bay constables in the town of East Hampton, in the county of Suffolk, and to define their duties," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	King	Moore	Wagner
Dayton	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Woodin
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act authorizing the appointment of centennial commissioners," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Thompson
Coe	Gross	McGowan	Wagner
Cole	Johnson	Parmenter	Wellman
Connelly	King	Ray	Wood
Dayton	Laning	Robertson	Woodin
Dickinson	Ledwith		
			22

FOR THE NEGATIVE.

Kellogg	Lord	Selkreg	3
---------	------	---------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act making an appropriation for the purpose of restocking the public streams of this State with speckled trout and other fish," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Parmenter	Tobey
Cole	King	Ray	Wagner
Connelly	Laning	Robertson	Wellman
Dayton	Lord	Selkreg	Wood
Dickinson	Lowery	Thompson	Woodin
Fox	McGowan		

22

FOR THE NEGATIVE.

Coe

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act supplemental to chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Selkreg
Coe	Johnson	McGowan	Thompson
Cole	Kellogg	Moore	Tobey
Connelly	King	Parmenter	Wagner
Dayton	Laning	Ray	Wellman
Dickinson	Ledwith	Robertson	Woodin
Fox			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 389 of the Laws of 1854, entitled 'An act to amend and consolidate the laws in relation to Amsterdam village, in Montgomery county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Coe	Johnson	McGowan	Thompson
Cole	Kellogg	Moore	Tobey
Connelly	King	Parmenter	Wagner
Dayton	Ledwith	Ray	Wellman
Dickinson	Lowery	Robertson	Woodin
Fox			

25.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 331 of the Laws of 1857, entitled 'An act to make the office of supervisor in Rensselaer county a salaried office, and to regulate the compensation of the clerk of the board of supervisors, and other officers in said county,' passed April 10, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Robertson
Coe	Johnson	McGowan	Selkreg
Cole	Kellogg	Moore	Thompson
Connelly	King	Parmenter	Wagner
Dayton	Laning	Ray	Wellman
Dickinson	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to confirm and legalize the acts of Deliverance Rogers as notary public of the county of Washington, since March 30, in the year of our Lord 1875," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	Kellogg	Moore	Wagner
Dayton	King	Parmenter	Wellman
Dickinson	Laning	Ray	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the Inebriates' Home for Kings county and to amend chapter 687 of the Laws of 1872, entitled "An act to provide means for the support of the Inebriates' Home for Kings county, and the better government thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Robertson
Coe	Johnson	Madden	Selkreg
Cole	Kellogg	McGowan	Thompson
Dayton	King	Moore	Wagner
Dickinson	Laning	Parmenter	Wellman
Fox	Ledwith	Ray	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the justices of the peace in the towns of Gates, Greece, and Irondequoit, in Monroe county, who reside in that part of said towns added to the city of Rochester by chapter 482 of the Session Laws of 1874," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Ray
Coe	Johnson	Lowery	Robertson
Cole	Kellogg	Madden	Selkreg
Connelly	King	McGowan	Thompson
Dayton	Laning	Moore	Tobey
Dickinson	Ledwith	Parmenter	Wagner
Fox			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act authorizing the city of Buffalo to take certain lands for a public park and to provide for the payment thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Thompson
Coe	Kellogg	McGowan	Tobey
Cole	King	Parmenter	Wagner
Connelly	Laning	Ray	Wellman
Dickinson	Ledwith	Robertson	Woodin
Fox	Lowery	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of extending the supply of water to the city and its inhabitants," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Johnson	Madden	Thompson
Cole	Kellogg	McGowan	Tobey
Connelly	King	Moore	Wagner
Dayton	Laning	Parmenter	Wellman
Dickinson	Ledwith	Ray	Woodin
Fox	Lord	Robertson	

27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act further to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Parmenter
Coe	Johnson	Lord	Ray
Cole	Kellogg	Lowery	Robertson
Connelly	King	Madden	Tobey
Dayton	Laning	McGowan	Wellman
Fox			

21

FOR THE NEGATIVE.

Dickinson

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to prevent the taking of fish in or from the waters of Tonawanda creek, so called, and its branches, in the county of Wyoming," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Selkreg
Coe	Johnson	Madden	Thompson
Cole	King	Moore	Tobey
Connelly	Laning	Ray	Wagner
Dayton	Ledwith	Robertson	Woodin
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 154 of the Laws of 1875, entitled 'An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries in the county of Alleghany,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Robertson
Coe	Gross	Lowery	Selkreg
Cole	Johnson	Madden	Thompson
Connelly	Kellogg	McGowan	Tobey
Dayton	King	Moore	Wagner
Dickinson	Laning	Ray	Wellman
			24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to except a railroad proposed to be constructed in the towns of New Utrecht, Gravesend and Flatlands, from the provisions of an act to regulate the construction and protection of railway crossings in the county of Kings," passed April 19, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Johnson	Madden	Thompson
Cole	Kellogg	McGowan	Tobey
Dayton	King	Ray	Wagner
Dickinson	Laning	Robertson	Woodin
Fox	Lord		
			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the coroners of the county of New York to employ a stenographer in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Robertson
Cole	Gross	Lord	Selkreg
Connelly	King	Lowery	Thompson
Dayton	Laning	Ray	Tobey
Dickinson			

FOR THE NEGATIVE

Johnson	Kellogg	Madden	Wood	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 367 of the Laws of 1873, entitled 'An act amending an act entitled 'An act to establish free schools in district No. 3, of the town of Flushing,' passed April 16, 1857, enlarging said district and authorizing a greater school tax therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Coe	King	McGowan	Tobey
Cole	Laning	Moore	Wagner
Dayton	Ledwith	Ray	Wellman
Dickinson	Lord	Robertson	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to repeal section 10 of chapter 398 of the Laws of 1872, entitled 'An act to incorporate the Batavia Literary Association, and appropriating certain moneys thereto,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Thompson
Coe	Johnson	McGowan	Tobey
Cole	King	Parmenter	Wagner
Connelly	Laning	Ray	Wood
Dickinson	Ledwith	Robertson	Woodin
Fox	Lord	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to extend the time within which the Brooklyn Guaranty and Indemnity Company, a corporation created under chapter 481 of the Laws of 1874, may commence the transaction of its business," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Thompson
Coe	Gross	McGowan	Tobey
Cole	Kellogg	Ray	Wagner
Connelly	King	Robertson	Wellman
Dayton	Laning	Selkreg	Woodin
Dickinson	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the Dale Cemetery Association in the town of Ossining, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Thompson
Cole	Johnson	McGowan	Tobey
Connelly	Kellogg	Moore	Wagner
Dayton	King	Ray	Wellman
Dickinson	Laning	Robertson	Wood
Fox	Ledwith	Selkreg	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to incorporate the Bethlehem Mutual Insurance Association, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	McGowan	Thompson
Cole	Kellogg	Moore	Tobey
Connelly	King	Ray	Wagner
Dayton	Laning	Robertson	Wellman
Dickinson	Ledwith	Selkreg	Wood
Fox	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the various associations and societies, incorporated under the laws of the State of New York for the purpose of taking care of and protecting destitute infant minor children, to bind out by indenture destitute children who are in their care and keeping," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	McGowan	Tobey
Coe	Gross	Ray	Wagner
Cole	King	Robertson	Wellman
Connelly	Laning	Selkreg	Wood
Dayton	Lord	Thompson	Woodin
Dickinson	Lowery		

22

FOR THE NEGATIVE.

Ledwith	Madden		
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act explaining section 1 of chapter 251 of the Laws of 1875, entitled 'An act for the support and maintenance of prisoners confined upon civil process,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Robertson
Coe	King	Madden	Tobey
Cole	Laning	McGowan	Wagner
Connelly	Ledwith	Moore	Wellman
Dayton	Lord	Ray	Woodin

20

FOR THE NEGATIVE.

Selkreg			
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate of which William Grant, late of the town of Arcadia, in the county of Wayne, died seized, and authorizing his heirs at law to hold and convey the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Selkreg
Coe	Gross	Lowery	Thompson
Cole	Johnson	Madden	Tobey
Connelly	Kellogg	McGowan	Wellman
Dayton	King	Moore	Wood
Dickinson	Laning	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to incorporate the fire department of the North Shore of Staten Island," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Robertson
Coe	Gross	Lord	Selkreg
Cole	Johnson	Lowery	Thompson
Connelly	Kellogg	Madden	Tobey
Dayton	King	McGowan	Wagner
Dickinson	Laning	Ray	Wellman

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to exempt property, real and personal, of the Society of the New York Hospital from taxation," having been announced for a third reading,

On motion of Mr. Robertson, and by unanimous consent, said bill was amended as follows :

Strike out the amendment made in the committee on the judiciary, and insert in lieu thereof the following :

"§ 2. Section four of chapter two hundred and fifty-seven of the laws of one thousand eight hundred and twenty-two, entitled "An act further to amend the act incorporating the Bank of Newburgh, and for other purposes, is hereby repealed."

Amend the title by adding thereto the words "and to repeal section 4 of chapter 257 of the Laws of 1822."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Tobey
Coe	Johnson	Ray	Wagner
Cole	King	Robertson	Wellman
Connelly	Laning	Selkreg	Wood
Dayton	Lord	Thompson	Woodin
Dickinson	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to release to the heirs at law and devisees of William Moffat, late of Syracuse, the right, title, and interest of the people of the State of New York in and to certain real estate in the city of Syracuse," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Johnson	Madden	Thompson
Cole	King	McGowan	Tobey
Connelly	Laning	Moore	Wagner
Dayton	Ledwith	Ray	Wellman
Dickinson	Lord	Robertson	Wood
Fox			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 676 of the Laws of 1870, entitled 'An act to incorporate the Richmond Hotel Company of Staten Island,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	McGowan	Tobey
Coe	King	Ray	Wagner
Cole	Laning	Robertson	Wellman
Dayton	Lowery	Selkreg	Wood
Dickinson	Madden	Thompson	

19

FOR THE NEGATIVE.

Connelly	Gross
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 22, 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Tobey
Coe	Johnson	McGowan	Wagner
Cole	Kellogg	Ray	Wellman
Connelly	King	Robertson	Wood
Dayton	Laning	Selkreg	Woodin
Dickinson	Lowery	Thompson	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act authorizing the State Homoeopathic Medical Society to change the time for holding annual, regular or special meetings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Thompson
Coe	Kellogg	McGowan	Tobey
Cole	King	Moore	Wagner
Connelly	Laning	Ray	Wellman
Dayton	Ledwith	Robertson	Wood
Fox	Lowery	Selkreg	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 807 of the Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester, and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	McGowan	Thompson
Coe	Kellogg	Moore	Tobey
Connelly	King	Ray	Wagner
Dayton	Laning	Robertson	Wellman
Dickinson	Lord	Selkreg	Wood
Fox	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 825 of the Laws of 1873, entitled 'An act to authorize the laying of rails and to run cars thereon for the transportation of passengers in certain streets and avenues in the upper part of the city of New York,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE,

Bradley	Laning	Robertson	Wagner
Coe	Lord	Selkreg	Wellman
Dayton	Madden	Thompson	Wood
Dickinson	Moore	Tobey	Woodin
Fox	Ray		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 21 of the Laws of 1855, entitled 'An act in relation to non-resident highway taxes upon certain lands in Essex county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dickinson	McGowan	Thompson	
Coe	Fox	Moore	Tobey	
Cole	King	Ray	Wagner	
Connelly	Laning	Robertson	Wellman	
Dayton	Madden	Selkreg	Wood	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 426 of the Laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865,' passed April 28, 1865, entitled 'An act to amend an act entitled 'An act in relation to the compensation of the several officers of State prisons,' passed April 23, 1864,'" having been announced for a third reading,

Mr. Johnson moved that said bill be recommitted to the committee on State prisons, with instructions to amend by making the salary of the agent and warden \$3,000.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	McGowan	Tobey	
Coe	Gross	Moore	Wagner	
Connelly	King	Ray	Wellman	
Dayton	Ledwith	Robertson	Wood	
Dickinson	Madden	Thompson		19

FOR THE NEGATIVE.

Cole	Kellogg	Lord	Woodin	
Johnson	Laning	Selkreg		7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

Mr. Robertson, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to fix the compensation of certain officers in the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Susan Grant the right, title, and interest of the people of the State of New York in and to certain real estate in the city of Rochester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn to Anne Pinkerton, formerly Anne Scott," reported in favor

of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled 'An act to release the interest which the State of New York may have acquired to the real estate of which John Smith died seized to his widow, Mary Newman,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 408 of the Laws of 1870, entitled 'An act relating to the supreme court, and to the election of a judge of the court of common pleas in and for the city and county of New York,' " reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize and confirm the official acts and proceedings of Edson Potter, Harvey P. Potter, Benjamin F. Read, and William Horton as constables in the town of Colton, county of St. Lawrence," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to repeal chapter 969 of the Laws of 1867, entitled 'An act in relation to inspection of steam boilers in the State of New York, except in the Metropolitan Police district,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to further amend chapter 306 of the Laws of 1861, entitled 'An act to amend the act passed May 8, 1846, entitled An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to water companies," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the continuance of suits or actions," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize James McAndrew to take, hold, and convey real estate," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of James Luther McCoy," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Wood moved to reconsider the vote agreeing to said report, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the coroners of the county of New York to employ a stenographer in certain cases," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the various associations and societies, incorporated under the laws of the State of New York for the purpose of taking care of and protecting destitute infant minor children, to bind out by indenture destitute children who are in their care and keeping," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 48 of chapter 3 of part 2 of the Revised Statutes," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to release the interest of the people of the State of New York in certain real estate of which William Grant, late of the town of Arcadia, in the county of Wayne, died seized, and authorizing his heirs at law to hold and convey the same," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act in relation to the county treasurers of the counties of Monroe, Seneca, Ontario, Yates, Westchester, Rockland, Putnam, Dutchess, and Columbia," with a message that they have assented to a committee of conference thereon, and have appointed as such committee Messrs. Hammond, Schuyler, Lincoln, Waehner, and T. C. Campbell.

Mr. Wood offered the following:

Resolved (if the Assembly concur), That the Curator of the State Museum of Natural History be authorized to procure the printing of 500 copies, each, of the reports of 1874 and 1875 for the use of the Museum, at such price or cost as the Comptroller shall approve.

Ordered, That said resolution be referred to the committee on public printing.

The committee of conference, appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses

relative to the Assembly bill entitled "An act to authorize the formation of corporations for the safe-keeping and guaranteeing of personal property," having met and duly considered the same, recommend that the amendments proposed to such bill by the Senate be agreed to, amended so that the bill, as amended, will read as follows:

AN ACT to authorize the formation of corporations for the safe-keeping and guarantying of personal property."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. At any time hereafter, any five or more persons who may desire to form a company for the purpose of taking and receiving, upon deposit as bailee for safe-keeping and storage, jewelry, plate, money, specie, bullion, stocks, bonds, securities and valuable papers of any kind, and other valuables, and guarantying their safety upon such terms and for such compensation as may be agreed on by such company and the respective bailors thereof, and to let out vaults and safes and other receptacles for the uses and purposes of such corporation, may make, sign, and acknowledge, before some officer competent to take the acknowledgment of deeds, and file in the office of the clerk of the county in which the business of the corporation shall be carried on, and duplicates thereof in the office of the Secretary of State and in the Banking Department of the State, a certificate in writing, in which shall be stated the corporate name of the said corporation, which shall be in no material respect similar to the name of any other corporation organized and engaged in the business of receiving valuables on deposit for safe-keeping, for hire, or of letting out safes, and doing business in the same or an adjoining county, and the objects for which the corporation shall be formed, the amount of the capital stock of the said corporation (which shall not be less than one hundred thousand dollars, nor exceeding one million dollars), and in no case shall the paid-in capital stock be less than one hundred thousand dollars, the term of its existence not to exceed fifty years, the number of shares of which the said stock shall consist, the number of trustees and their names, residence, occupation, and post-office address, who shall manage the concerns of said corporation for the first year, and the name of the place in which the operations of the said corporation are to be carried on. But the capital stock of any corporation organized under this act may be increased to an amount not to exceed one million dollars by the board of trustees, on application, in writing, signed by the stockholders representing a majority of the stock. A statement of such increase shall be filed in the offices as aforesaid.

§ 2. When the certificate shall have been filed as aforesaid, the persons who shall have signed and acknowledged the same and their successors shall be a body politic and corporate, in fact and in name, by the name stated in such certificate, and by that name have succession, and shall be capable of suing and being sued in any of the courts of this State, and they and their successors may have a common seal, and may make and alter the same at pleasure, and they shall, by their corporate name, be capable in law of leasing, purchasing, holding, and conveying any real and personal estate whatever, which may be necessary to enable the said corporation to carry on its operations named in such certificate; but nothing in this act contained shall be construed to allow the said corpo-

ration to make any loan or advance upon any property left with it on storage, or for safe-keeping.

§ 3. The stock, property, and concerns of such corporation shall be managed by not less than five nor more than thirteen trustees, who shall respectively be stockholders of such company and citizens of the United States, and a majority of whom shall be citizens of this State, who shall, except for the first year, be annually elected by the stockholders at such time and place as shall be directed by the by-laws of the company; and public notice of the time and place of holding such election shall be published, not less than ten days previous thereto, in a newspaper printed in the town or city in which the operations of the said corporation shall be carried on, and the election shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy. All elections shall be by ballot, and each stockholder shall be entitled to as many votes as he owns shares of stock in the said corporation, and the persons receiving the greatest number of votes shall be declared to be elected trustees; and when any vacancy shall happen among the trustees by death, resignation or otherwise, it shall be filled for the remainder of the year in such manner as may be provided by the by-laws of the said corporation. No person shall be permitted to vote upon the proxy of a stockholder in any such corporation after the lapse of eleven months from the date thereof, unless the stockholder shall have specified therein that it is to continue in force for some longer and limited time.

§ 4. In case it shall happen at any time that an election of trustees shall not be made on the day designated by the by-laws of said company, the corporation for that reason shall not be dissolved, but it shall be lawful on any other day to hold an election for trustees, in such manner as shall be provided for by the said by-laws; and all acts of trustees shall be valid and binding as against such corporation until their successors shall be elected.

§ 5. There shall be a president of the corporation, who shall be designated from among the number of the trustees, and also such subordinate officers as the corporation, by its by-laws, may designate, who may be elected or appointed, and required to give such security for the faithful performance of the duties of their offices, as the corporation by its by-laws may require.

§ 6. It shall be lawful for the trustees to call in and demand from the stockholders, respectively, all such sums of money by them subscribed, at such times and in such payments or installments as the trustees shall deem proper, under the penalty of forfeiture of the shares of stock subscribed for and all previous payments made thereon, if payment shall not be made by the stockholders within sixty days after a personal demand of the same, or notice requiring such payment shall have been published for six successive weeks in a newspaper printed in the city or town in which the business of the corporation shall be carried on as aforesaid, and a copy thereof mailed, postage prepaid to the last known place of residence. In case such demand shall have been made by publication, the sixty days shall commence to run from the last day of publication.

§ 7. The trustees of such corporation shall have power to make such by-laws as they shall deem proper for the management, disposition of the stock, property and business affairs of such company, not inconsistent with the laws of this State and of the United States, and prescribing the duties of officers and servants that may be employed, the manner of the

appointment and election of all officers, and for carrying on all kinds of business within the objects and purposes of said corporation.

§ 8. The stock of such corporation shall be deemed personal estate, and shall be transferable in such manner as shall be prescribed by the by-laws of the corporation; but no shares shall be transferable until all previous calls thereon shall have been fully paid in, or shall have been declared forfeited for the non-payment of calls thereon; and it shall not be lawful for such corporation to use any of its funds in the purchase of any stock in any other corporation, or to hold the same, except as collateral security to a prior indebtedness.

§ 9. The stockholders of any corporation organized under the provisions of this act shall be jointly and severally liable for all debts that may be due and owing by said corporation, to an amount equal to the par value of their stock in said corporation, over and above such stock, to be recovered of the stockholders who are such when the debt is contracted or the loss or damage sustained, or of any subsequent stockholder; and any stockholder who may have paid any demand against such company, either voluntarily or by compulsion, shall have a right to resort to the rest of the stockholders who are liable to contribution. And the dissolution of such corporation shall not release or affect the liability of any stockholder which may have been incurred before such dissolution.

§ 10. Every corporation organized under the provisions of this act, and every corporation heretofore organized under the laws of this State, for purposes similar to those provided for in this act, shall semi annually make a full report in writing of the affairs and conditions of such corporation at the close of business, on the last business days of June and December in each year, to the Superintendent of the Banking Department, verified by oath, in such form and by such officers of the said corporation as the said superintendent may designate, which report shall be in place of any report which any such corporation may now be required to make to the supreme court, the Comptroller, or otherwise.

Every such report shall be made within twenty days after the day to which it relates, and shall be in such form, and contain such statements, returns and information, as to the affairs, business, condition and resources of such corporation, as the said superintendent may, from time to time, prescribe or require. And the said superintendent may, if he be of opinion that it is desirable, require that a like report, either wholly or in part, as to the particulars aforesaid, be made to him at any time, by any such corporation aforesaid, within such period as he may designate.

§ 11. The said superintendent may, at any time, if he deem it to be expedient, cause any such statement, or any statement or report which may be made to him under the provisions of this act, or any part or any abstract thereof, to be published in the State paper for at least three times, the expense of which shall be paid by the corporation to whose affairs such report may relate.

§ 12. It shall be the duty of the said superintendent yearly, either personally or by some competent person or persons, to be appointed by him, to visit and examine every corporation required by this act to report as aforesaid. The said superintendent, and every such examiner, shall have power to administer an oath to any person whose testimony may be required on any such examination, and to compel the appearance and attendance of any such person for the purpose of such examination by summons, subpoena or attachment, in the manner now authorized in

respect to the attendance of persons as witnesses in the courts of record of this State; and all books and papers which it may be deemed necessary to examine by the superintendent, or the examiner or examiners so appointed shall be produced, and their production may be compelled in the like manner. The expense of every such examination shall be paid by the corporation examined to such amount as the superintendent shall determine. Whenever such examination shall be made by the superintendent personally, or by one or more of the regular clerks in his department, no charge shall be made on such examination, but for necessary traveling and other actual expenses.

§ 13. On every such examination, inquiry shall be made as to the condition and resources of the corporation generally, the mode of conducting and managing its affairs, the action of its directors or trustees, the investment of its funds, the safety and prudence of its management, the security afforded to those by whom its engagements are held, and whether the requirements of its charter and of law have been complied with, in the administration of its affairs.

§ 14. If it shall appear to the said superintendent, from any examination made by him, or from the report of any examination made to him, that any corporation has committed a violation of its charter or of law, or is conducting business in an unsafe or unauthorized manner, he shall by an order under his hand and seal of office, addressed to such corporation, direct the discontinuance of such illegal or unsafe practices and conformity with the requirements of its charter and of law, and with safety and security its transactions, and whenever any corporation shall refuse or neglect to make such report as is hereinbefore required, or to comply with any such order as aforesaid; or whenever it shall appear to the superintendent that it is unsafe or inexpedient for any corporation to continue to transact business, he shall communicate the facts to the Attorney-general, who shall thereupon be authorized to institute such proceedings against any such corporation as are now, or may hereafter be, provided for by laws in the case of insolvent corporations, or such other proceedings as the nature of the case may require.

§ 15. This act shall take effect immediately.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Wagner
Cole	Gross	McGowan	Wellman
Connelly	Laning	Robertson	Wood
Dayton	Ledwith	Tobey	Woodin
Dickinson	Lord		

18

FOR THE NEGATIVE.

Kellogg	King	Selkreg	Thompson
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

A message from His Excellency the Governor was received and read in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 17, 1875. }

To the Senate :

In accordance with a resolution of the Senate and Assembly, I have the honor to return herewith, for amendment, Senate bill No. 264, entitled "An act to repeal section 3 of chapter 130 of Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax in aid of Friendship Academy."

SAMUEL J. TILDEN.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Tobey
Coe	Gross	McGowan	Wagner
Cole	Johnson	Ray	Wellman
Connelly	Laning	Robertson	Wood
Dayton	Ledwith	Selkreg	Woodin
Dickinson	Lowery	Thompson	23

On motion of Mr. Wellman, and by unanimous consent, said bill was amended as follows :

Section 1, line 3, after the word "seventy," insert the word "one."

Amend the title by inserting, after word "seventy," the word "one."

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Thompson
Coe	Gross	Lord	Tobey
Cole	Johnson	Lowery	Wagner
Connelly	Kellogg	Ray	Wellman
Dayton	King	Robertson	Wood
Dickinson	Laning	Selkreg	Woodin
			24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein, as amended.

The Assembly returned the Assembly bill entitled "An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors," with a message that they had agreed to the report of the committee of conference thereon.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto :

"An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and also to amend chapter 49 of the Laws of 1871, entitled 'An act to amend an act entitled An act to incorporate the city of Rome.'"

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871; and also to amend an act to re-enact and amend the same," passed April 6, 1871," with a message that they have assented to a committee of conference thereon, and have appointed as such committee Messrs. Daly, McGowan, T. J. Campbell, Hess, and Worth.

The Assembly returned the bill entitled "An act in relation to regulating, grading, and otherwise improving streets, roads, and avenues in the city of New York, and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and in relation to opening streets, avenues, roads or public parks and places in the city of New York," with a message that they have assented to a committee of conference thereon, and have appointed as such committee Messrs. Daly, McGowan, T. J. Campbell, Hess, and Worth.

The Assembly returned the bill entitled "An act relative to claims and legal proceeding against the mayor, aldermen and commonalty of the city of New York," with a message that they have assented to a committee of conference thereon, and have appointed as such committee Messrs. Daly, McGowan, T. J. Campbell, Hess, and Worth.

The Assembly sent for concurrence the following resolution :

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return for amendment of the bill of the Assembly entitled "An act to provide houses of detention in the several counties in this State, for the safe-keeping and proper care of women and children charged with offenses and held for trial, and also for the detention of all persons held as witnesses.

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Also, the following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return for amendment of Assembly bill No. 416, entitled "An act to amend chapter 387 of the Laws of 1872, entitled, 'An act to supply the city of Rochester with pure and wholesome water,' passed April 27, 1872."

Ordered, That said resolution be laid upon the table.

Also, the following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 448, entitled "An act to authorize the court of oyer and terminer and the court of sessions of the county of Kings to sentence prisoners convicted in said courts of any offense to the penitentiary of said county, for any term for which they might be sentenced to a State prison, for amendment.

By unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same:

Also, the following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return of Assembly bill No. 547, entitled "An act to amend chapter 546 of the Laws of 1872, entitled 'An act to incorporate the Mechanicville Bridge Company for the purpose of constructing a bridge over the Hudson river, between the village of Mechanicville and the town of Schaghticoke,'" for amendment.

By unanimous consent the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

By unanimous consent, Mr. Madden asked and obtained leave to introduce a bill entitled "An act to repeal chapter 479 of the Laws of 1874, entitled 'An act to authorize the construction and use of a railroad in the city of Brooklyn and county of Kings, and the towns of Newtown and Jamaica, in the county of Queens,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Johnson, the Senate adjourned.

TUESDAY, MAY 18, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Laning, the reading of the journal of yesterday was dispensed with.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the bill entitled "An act to authorize a tax of thirty-five one-hundredths of a mill per dollar of valuation of the year 1875 for the construction of new work upon, and extraordinary repairs of, the canals of this State," having met and duly considered the same, recommend that the Assembly concur in the following amendments of the Senate—reference, in all cases, being made to the engrossed bill :

Page 1, in line 15, strike out all after figure 1 down to and including the word "is," in line 25, and insert in lieu thereof as follows : "There shall be paid out of the gross receipts of the canals for the fiscal year commencing October first, eighteen hundred and seventy-five, the following moneys, which are."

Page 1, line 29, strike out the words "section two."

Same page, line 31, strike out the word "fifteen," and insert in lieu thereof the word "ten."

Page 2, strike out line 1 to line 6, inclusive.

Same page, strike out line 27 down to and including line 1, page 3.

Page 3, line 5, after the word "Whitehall," insert the following: "Provided the Canal Board shall, upon examination, find that the State is legally or equitably bound to build said bridge, and not otherwise, and."

Same page, line 15, strike out the words "twenty-five," and insert in lieu thereof the word "forty."

Same page, strike out line 17 down to and including line 33.

Page 4, strike out from line 12 to line 17, inclusive.

Same page, strike out from line 25 down to and including line 1, page 5.

After line 24, page 4, insert the following: "The sum of twenty-five thousand dollars or so much thereof as may be necessary, is hereby appropriated to pay for the removal of wall-benches and building slope wall on the Erie canal, in the city of Utica, rendered necessary in consequence of the abandonment made by Henry D. Dennison; said work to be paid for on the certificate of the Commissioner and Engineer in charge."

Page 5, strike out from line 16 to line 5, page 6, inclusive, and insert after line 19, page 6, as follows: "In addition to appropriations made in the years 1873 and 1874, for constructing and maintaining a highway bridge over the Erie canal in the town of Watervliet, in the county of Albany from the Island Corners road, on the west side of said canal, to Island Park, on the east side of said canal, and for the completion of approaches and vertical wall, the sum of four thousand dollars, or so much thereof as may be necessary, provided that before the said sum shall be paid, the Canal Commissioner in charge of the eastern division shall require and place on file in their office, full and sufficient release, legally executed, of all claims against the State from land or other damages, and release from any obligations to hereafter maintain said bridge."

Page 7, in line 10, strike out all after the word "necessary," down to line 15, inclusive.

Same page 7, after line 19, add as follows: "The above work for rebuilding dam and bulk-head at the head of the Oneida creek feeder, for rebuilding feeder dam and bulk-head in the Skaneateles creek in the village of Jordan, Erie canal; for repairing the following reservoirs, Eaton and Bradley brooks, Hatch's lake, Kingsley brook, Madison brook, Leland's and Woodmans' ponds, Erieville and De Ruyter; and for repairing and protecting the aprons of the stone dams on the Oswego river, shall be done under the direction of the Canal Board, if, upon examination, the same shall be found to be necessary."

Same page, strike out all after line 24, down to and including line 4, page 8.

Page 8, in line 6, strike out the words "and repairing pier at Ithaca."

Same page, in line 7, strike out the word "ten" and insert in lieu thereof the word "five."

Same page, in line 24, after the word "contract," strike out all down to and including the word "city" in line 28.

Same page, strike out from line 31 down to line 2, page 9, inclusive.

Page 9, strike out from line 12 down to line 17, inclusive.

Same page, strike out from line 33 down to line 2, page 10, inclusive.

Page 10, strike out from line 15 down to line 24, same page, inclusive.

Same page, after line 24, add as follows: "To pay the draft of William W. Wright, late Canal Commissioner, on the Auditor of the Canal Depart-

ment in favor of C. L. McAlpine, resident engineer, for extra expenses and services performed under the direction of said Wright and other members of the canal board, the sum of six hundred and three dollars."

Page 10, strike out from line 28 to line 31, inclusive.

Page 11, strike out from line 17 down to line 24, inclusive.

Same page, strike out from line 31 down to line 34, inclusive.

Page 12, strike out from line 3 down to line 13, inclusive.

Same page, strike out line 24 down to line 28, inclusive.

Add, after line 7, page 13, as follows: "And no part of the sums herein appropriated shall be expended on the Chenango, Chemung, Crooked Lake, Genesee Valley or Black River canals, except so far as the same be necessary to maintain them as feeders to the Erie canal, except for rebuilding, with iron, the bridge over Crooked Lake canal, near guard-lock, in the village of Penn Yan, the sum of two thousand five hundred dollars."

Amend the title so as to read as follows:

"An act to authorize the construction of work upon the canals of this State."

And also recommend that the Senate recede from their amendments striking out the following items, and that the same be restored as follows:

At line 1, page 5, the following:

"For the construction of two iron-pipe sewers under the Erie canal, in the city of Utica, at or near the lines of State and First streets, said sewers to be of sufficient capacity to carry off the sewage of said city, now discharged into the Erie canal, the sum of five thousand dollars; provided, that the city of Utica shall build said sewers under the direction of the Canal Commissioner in charge of the Eastern Division, and that the cost of said sewers in excess of the sum of five thousand dollars shall be paid by the city of Utica, without recourse to the State.

"For building an iron swing, hoist or turn-table bridge at the foot of Lawrence street, in the city of Albany, the sum of ten thousand dollars, or so much thereof as may be necessary."

After line 17, page 9, the following:

"To pay the deficiency of an appropriation made by chapter eight hundred and fifty of the laws of eighteen hundred and seventy-two for constructing farm and other bridges and crossings over the Chenango canal extension between Binghamton and Owego, the sum of three hundred and seventy-nine dollars and ninety-two cents.

"For completing new feeder channel in place of old decayed wooden flume or iron pipe in the Owasco feeder at Port Byron, in order to get an additional supply of water, made necessary by enlarging the locks on Port Byron level, the sum of three thousand five hundred dollars, or so much thereof as may be necessary."

After line 13, page 12, the following:

"For constructing a culvert under the Erie canal, in the city of Rochester, the sum of three thousand dollars; provided, that the said city of Rochester shall build said culvert under the direction of the canal commissioner in charge of the western division, and that the cost of said culvert, in excess of the sum of three thousand dollars, shall be paid by the city of Rochester without recourse to the State."

After line 28, page 12, the following:

"For the construction of an iron bridge over the Erie canal, con-

necting Earl and Kent streets, in the village of Palmyra, the sum of six thousand dollars, or so much thereof as may be necessary."

All of which is respectfully submitted.

DAN H. COLE,
WM. JOHNSON,
H. C. CONNELLY,

Senate Committee.

A. S. PAGE,
E. E. DAVIS,
WM. HOGAN,

Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Johnson	McGowan	Thompson
Dayton	King	Middleton	Wagner
Dickinson	Lanig	Ray	Woodin
Dow	Ledwith		

22

FOR THE NEGATIVE.

Coe	Jacobs	Kellogg	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Lord called from the table the concurrent resolution requesting the Governor to return to the Assembly the Assembly bill entitled "An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water,' passed April 27, 1872."

By unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 219 of the Laws of 1871, entitled 'An act to provide redress for words imputing unchastity to a female,' passed March 29, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Dow	Ledwith	Robertson
Cole	Gross	Lord	Selkreg
Connelly	Jacobs	Lowery	Thompson
Dayton	King	McGowan	Wagner
Dickinson	Lanig	Middleton	Woodin

20

FOR THE NEGATIVE.

Bradley	Kellogg	Wellman	3
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Ordered, That the Clerk return said bill to the Assembly, with a

message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Dickinson moved to take from the table the report of the committee on public printing, in the words following:

"*Resolved* (if the Senate concur), That there be printed and bound in cloth, for the use of this Legislature, by the legislative printer, 5,000 copies of the Topographical Survey of the Adirondack Wilderness, sent to the Legislature of 1874, and the expense thereof, not to exceed one dollar and fifty cents per copy, to be paid out of the appropriation for legislative printing."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Coe	Jacobs	McGowan	Thompson	
Cole	Kellogg	Middleton	Tobey	
Dayton	King	Ray	Wagner	
Dickinson	Lord	Selkreg	Woodin	18
Fox	Lowery			

FOR THE NEGATIVE.

Bradley	Gross	Laning	Madden	
Dow	Johnson	Ledwith	Robertson	8

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Robertson moved to reconsider the vote by which the adverse report of the committee on the judiciary upon the Assembly bill entitled "An act in relation to water companies," was agreed to.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Robertson moved that said bill be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King moved to take from the table the resolution of the committee on public printing, reported for the consideration of the Senate, in the words following:

"*Resolved* (if the Assembly concur), That 500 copies of the Report of the Committee of the Chamber of Commerce of the State of New York on the Canals of the State be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King moved to add at the end thereof the words "for the use of the Legislature."

Mr. Johnson moved to amend by striking out the word "Legislature," and inserting in lieu thereof the words "Chamber of Commerce."

The President put the question whether the Senate would agree to said motion of Mr. Johnson, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. King, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.				
Dayton	Ray	Selkreg	Wagner	
Jacobs	Robertson	Thompson	Woodin	
King				9
FOR THE NEGATIVE.				
Bradley	Dow	Ledwith	Madden	
Coe	Gross.	Lord	McGowan	
Connelly	Johnson	Lowery	Middleton	
Dickinson	Laning			14

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to enable the town officers of the county of Rockland to take the oath of office prescribed by the Constitution," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Robertson, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent, Mr. Gross asked and obtained leave to introduce a bill entitled "An act to incorporate the Electro-Medical College of the State of New York in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Dayton called for the consideration of the resolution in the words following :

"Resolved (if the Assembly concur), That the Canal Board be authorized to reduce the tolls on pine and hard-wood lumber to the rate of three (3) mills per thousand feet per mile."

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.				
Dayton	Jacobs	Lord	Selkreg	
Fox	Laning	McGowan	Thompson	
Gross	Ledwith			10
FOR THE NEGATIVE.				
Bradley	Dickinson	Kellogg	Middleton	
Coe	Dow	King	Ray	
Cole	Johnson	Lowery	Wagner	12

Mr. Gross moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act supplementary to an act entitled 'An act to incorporate the Manhattan Loan and Trust Company, of the city of New York,' passed June 26, 1873," was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.				
Bradley	Gross	Lord	Robertson	
Cole	Jacobs	Lowery	Selkreg	
Connelly	Johnson	Madden	Thompson	
Dayton	Laning	Ray	Woodin	
Fox	Ledwith			18

FOR THE NEGATIVE.

Dickinson

Dow

2

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley
Cole
Connelly
Dayton
Gross

Jacobs
King
Laning
Ledwith

Lord
Lowery
Madden
Ray

Robertson
Thompson
Wagner
Woodin

17

FOR THE NEGATIVE.

Dickinson

Kellogg

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendment.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act relative to the custody of certain records of tax and assessment sales in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the pay of the officers and members of the fire department of the city of Brooklyn,' chapter 856, Laws 1873, passed June 28, 1873," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to provide for the payment of an award due from the city of Brooklyn park commissioners for lands taken from Prospect park for reservoir purposes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend chapter 521 of the Laws of 1857, entitled 'An act in relation to sewerage and drainage in the city of Brooklyn,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act in relation to the port road in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend chapter 583 of the Laws of 1874, entitled 'An act to lay out and improve a public highway or avenue and concourse in continuation of a public highway or avenue heretofore laid out from Prospect park, in the city of Brooklyn, toward Coney Island, in the county of Kings,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act relative to the powers of the Buffalo Street Railroad Company and the Buffalo East Side Railroad Company of the city of Buffalo," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Ledwith moved to take from the table the Assembly bill entitled "An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Ledwith, and by unanimous consent, said bill was amended as follows:

Section 1, line 6, after the word "therein," insert the words "provided the court and jury are satisfied that in equity said plaintiff ought to be entitled to recover judgment therein."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Thompson	
Coe	Ledwith	Ray	Wagner	
Fox	Lord	Selkreg		11

FOR THE NEGATIVE.

Dow	Johnson	Lowery	Robertson	
Gross	Laning	McGowan	Woodin	8

Mr. Ledwith moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. Jacobs called for the reading of the Assembly bill entitled "An act to appoint commissioners to erect a city hall in and for Long Island city, and to provide for the expenses of the same."

Said bill having been announced for a third reading,

On motion of Mr. Jacobs, said bill was recommitted to the committee on the affairs of cities, with instructions to amend as follows:

Strike out all after the enacting clause, and insert as follows:

"SECTION 1. It shall be the duty of the mayor and common council of Long Island City to erect a city hall for Long Island City, upon the plat of ground purchased by the corporation of Long Island City from the trustees of Union college, for a city hall site, under and by deed bearing date the first day of February, eighteen hundred and seventy-three, and recorded in liber four hundred and two, page two hundred and eighty-two of deeds in the office of the county clerk of Queens county, the tenth day of March, eighteen hundred and seventy-three. Said mayor and common council are hereby authorized, empowered and directed to proceed forthwith, and with all possible dispatch, to erect and build on the site aforesaid a suitable building for a city hall for said city. The said mayor and common council, upon not less than three

weeks' notice for sealed proposals, published in all the papers regularly printed or published in said city, and in two daily newspapers published in the city of New York, and in two daily newspapers published in the city of Brooklyn, may let contracts, for the building of said city hall, or of any part thereof, to the lowest responsible bidder, giving satisfactory security for the performance of said work, but said city hall shall be completed and ready for occupation within two years after the final passage of this act.

"§ 2. Said mayor and common council are hereby authorized, empowered, and directed to issue the bonds of said Long Island City in an amount not to exceed sixty thousand dollars, which amount shall be appropriated to the cost of the building; the said bonds to be issued in denominations of one thousand dollars, five hundred dollars, and one hundred dollars, each, with interest at seven per cent per annum, payable semi-annually in January and July of each year. The said bonds shall bear the signatures of the mayor and city clerk of said Long Island City, and a book shall be kept by the city clerk of said city in which shall be registered the date of the issue of said bonds, when they shall become due, and to whom issued, which book or duplicate thereof shall be filed in the office of the city clerk of Long Island City. The said bonds shall not be sold at less than their par value, and the interest upon said bonds shall be levied and collected annually by the mayor and common Council of Long Island City, at the same time and in the same manner as the annual taxes in said city are levied and collected. In the year eighteen hundred and eighty, the mayor and common council of Long Island City shall cause to be inserted in their annual tax levy the sum of six thousand dollars in payment of a portion of the principal of said bonds, and they shall insert an equal sum in every year thereafter until the principal and interest of said bonds shall be paid.

"§ 3. Should the said mayor and common council of Long Island City fail to have all of the external structure of the walls of said city hall under contract and in process of erection, within four months after the final passage of this act, it shall thereupon be the duty of the county court of Queens county, upon the written requisition of twelve freeholders of Long Island City, to appoint three commissioners, whose duty shall be, and they are hereby directed, to proceed forthwith, and with all possible dispatch, to erect a city hall in and for Long Island City on the aforesaid plot of ground, subject to the provision and the restrictions of this act, except in so far as they relate to a specified time for the erection of the external structure of the walls of said city hall. It shall be the duty of the mayor and common council of Long Island City, and they are hereby directed, upon the written requisition of a majority of said commissioners, to issue the said bonds of Long Island City in an amount not to exceed sixty thousand dollars, and in the manner hereinbefore provided, which amount the said commissioners shall appropriate to the cost of the building, and upon a like requisition it shall be the duty of the mayor and city clerk of said city, and they are hereby directed to sign and to execute said bonds under the seal of Long Island City for the amount or for any part of the said amount specified in this act, but all the other rights and powers, and all the other duties and liabilities of the said mayor and common council under this act shall be transferred to the said three commissioners, who shall be and be held as the lawful successors of the mayor and common

council of Long Island City, upon the appointment of said three commissioners under this act.

"§ 4. The said commissioners, within ten days after their appointment to office under this act, and before entering upon the duties of their office, shall take an oath before the mayor or one of the justices of Long Island City, to perform well, faithfully and honestly the duties required of them by this act, and shall immediately thereafter each give a bond to the mayor and common council of said city with sufficient surety to be approved by the county judge of Queens county, in the penalty of ten thousand dollars, conditioned for the faithful application of the moneys received by them and expended under this act; and shall annually render a just and true account thereof to the mayor and common council of Long Island City, until the expiration of their duties under this act, and the said commissioners shall, when making their annual report, present their claims for services duly verified under oath, and the said mayor and common council shall pay the same as any other city charge.

"§ 5. Said commissioners shall receive each for services actually rendered under this act, the same compensation as made and provided by law, to members of the board of supervisors, while in attendance upon the sessions of the board, but no commissioner shall receive compensation for more than one hundred days within a year, and the said commissioners shall annually present their accounts for moneys received and expended under the provisions of this act, verified by the affidavit of the treasurer of said commission to the mayor and common council of said city, and upon the completion of said building they shall immediately thereafter present a full report of the moneys received and disbursed by the said commissioners, which shall be deemed a final accounting of the same.

"§ 6. Whenever any vacancy in said commission shall occur by death, resignation, or removal from the city or a refusal to serve, or failure to qualify of any member of the same, said vacancy shall be filled by the county court of Queens county.

"§ 7. When, in the judgment of the board of commissioners, or of a majority of them, the new city hall shall be so far completed as to be fit and suitable for occupation, they shall cause a certificate thereof to be filed in the office of the city clerk of said city under their hands, and shall cause a copy thereof to be served upon the mayor and common council of Long Island City, and said building shall, in one week thereafter, be and remain the city hall of said city, and all business required by law to be transacted at the city hall in said city shall thereafter be held and transacted at said new city hall.

"§ 8. The provisions of section one of chapter four hundred and sixty of the laws of eighteen hundred and seventy-one, entitled 'An act to enable the mayor and common council of Long Island City to borrow money,' passed April thirteenth, eighteen hundred and seventy-one, and the provisions of section one of chapter eight hundred and fifty-eight of the laws of eighteen hundred and seventy-two, entitled 'An act to amend an act entitled An act to enable the mayor and common council of Long Island City to borrow money,' passed May twenty-fifth, eighteen hundred and seventy-two, are hereby repealed.

"§ 9. This act shall take effect immediately."

Amend the title so as to read as follows :

"An act to authorize the erection of a city hall in and for Long Island City, and to provide for the expenses of the same."

Mr. Jacobs, from the committee on the affairs of cities, to which was recommitted the above named bill, reported that they have made the amendments thereto as instructed, and have directed their chairman to report the same to the Senate.

On motion of Mr. Jacobs, and by unanimous consent, said bill was laid upon the table.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act in relation to the county court-house and jail in Queens county."

Assembly, "An act to amend chapter 435, Laws of 1873, entitled 'An act to amend chapter 733, Laws of 1872' entitled An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish."

Assembly, "An act to authorize the common council of the city of New York to reopen a part of Bloomingdale road, or Broadway, in the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Fox, from the said committee, reported in favor of the passage of the first named bill.

Mr. King moved to disagree with the report of the committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cole	King	Middleton	Wood	
Dickinson	Lowery	Robertson	Woodin	
Dow	McGowan			10

FOR THE NEGATIVE.

Bradley	Gross	Ledwith	Thompson	
Coe	Jacobs	Ray	Tobey	
Connelly	Johnson	Selkreg	Wagner	
Fox	Kellogg			14

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Fox, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Fox, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill, entitled "An act in relation to Congress Hall," reported adversely thereto, in writing.

(See Doc. No. 92.)

Mr. Dayton moved that the report of the committee be disagreed to, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to disagree to said report, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Dayton	Madden	Selkreg	Woodin	4
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FOR THE NEGATIVE.

Cole	Fox	Lowery	Tobey	
Connelly	Gross	McGowan	Wagner	
Dickinson	Jacobs	Middleton	Wellman	
Dow	King	Robertson	Wood	16

The President then put the question whether the Senate would agree to said report, and it was decided in the affirmative, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend chapter 332 of the Laws of 1868, passed April 27, 1868, and relating to the Hudson Suspension Bridge and New England Railway Company."

Assembly, "An act to amend an act entitled 'An act to incorporate the New York City Sunday School (church extension) and Missionary Society of the Methodist Episcopal Church,' passed April 14, 1866, amended March 14, 1871, again amended May 13, 1872."

Assembly, "An act to fix the compensation of certain officers in the city and county of New York."

After some time spent therein the President resumed the chair, and Mr. Wellman, from said committee, reported in favor of the passage of first named bill, with the title amended by inserting, after the words "An act," the word "supplementary," which report was agreed to, and said bill ordered engrossed for third reading.

Mr. Wellman, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

On motion of Mr. Fox, and by unanimous consent, the Assembly bill entitled "An act relating to the repavement of streets, avenues and highways in the city of New York heretofore paved with wood or concrete," was ordered considered in the first committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to authorize corporations to reduce their capital stock."

Assembly, "An act relating to the repavement of streets, avenues and highways in the city of New York heretofore paved with wood or concrete."

After some time spent therein the President resumed the chair, and Mr. Thompson, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

The Assembly returned the bill entitled "An act relative to taxation and appropriations in the city of New York, and to provide for the payment of part of the cost of Fourth avenue improvement, from revenue

bonds to be paid from taxation in 1876 instead of 1875, and to reduce the tax levy of 1875 accordingly," with a message that they had concurred in the passage of the same, with the following amendments:

Strike out section 3 of engrossed bill.

Change section 4 to section 5.

Mr. Woodin moved that the Senate non-concur in said amendments, that a committee of conference be appointed thereon, and that the Assembly be requested to appoint a like committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Woodin, Booth and Fox.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Assembly.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the passage of the same, as amended:

"An act to authorize the county of Kings to possess and use the State arsenal in the city of Brooklyn as an armory and to alter and repair the same for that purpose."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto, respectively:

"An act to repeal a portion of section 1 of title 6 of chapter 39, of the Laws of 1874, entitled 'An act to reorganize the village of Medina.'"

"An act to amend chapter 529 of the laws of 1874, entitled 'An act to provide increased facilities of the fire department of the town of New Lots.'"

"An act to legalize, ratify and confirm the official action of the board of assessors of the city of New York, in designating the New Yorker Journal to publish notices in the year 1872, in relation to paving streets, laying crosswalks and building sewers in said city, and providing for payment for the publication of such notices."

"An act supplementary to an act entitled 'An act to incorporate the Manhattan Loan and Trust Company of the city of New York,' passed June 26, 1873."

The Assembly returned the Assembly bill entitled "An act to regulate pilotage for the port of New York," with a message that they have non-concurred in the amendments made by the Senate thereto, and request a committee of conference thereon, and have appointed as such committee on their part, Messrs. T. J. Campbell, Oakley, Vosburgh, Alvord and Daggett.

Mr. Coe moved that a committee of conference be appointed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Coe, King and Robertson.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same, as amended:

"An act to repeal section 3 of chapter 130 of the Laws of 1870, being an act authorizing the town of Friendship to raise moneys by tax in aid of Friendship Academy."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to amend an act entitled 'An act in relation to the Troy water-works,' passed March 9, 1855."

"An act to authorize cities to provide railways for rapid transit of persons and property, and to create corporations for that purpose."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act relative to taxation and appropriations in the city of New York, and to provide for the payment of part of the cost of the Fourth avenue improvement from revenue bonds to be paid from taxation in 1876, instead of 1875, and to reduce the tax levy of 1875, accordingly," with a message that they assent to a committee of conference thereon, and had appointed as such committee on their part Messrs. Daly, McGowan, T. J. Campbell, Hess and Worth.

Mr. Wood, from the committee of conference upon the supply bill, reported as follows:

Your committee of conference, to which was referred the matters of difference between the two Houses upon the Assembly bill entitled "An act making appropriations for certain expenses of government," beg leave to respectfully report that they have met and duly considered the same, and have agreed to recommend the following—reference, in all cases, being had to the engrossed bill:

That they have agreed to recommend that the Assembly concur in the amendments to the bill proposed by the Senate.

Page 1, line 3, after the word "government," insert the words "and supplying deficiencies in former appropriations."

That they have agreed to recommend that the Assembly do concur in the amendment to the bill proposed by the Senate, amended so as to read as follows:

At the end of line 12, page 2, add the following:

"For fire and burglar proof safe, one thousand dollars; for making the necessary improvements in rebuilding forge fires, twelve thousand dollars, or so much thereof as may be necessary to be expended by the inspectors, with the approval of the Comptroller."

That the Senate recede from the amendment to the bill proposed by the Senate (page 2, line 26), and re-insert the portion of the item stricken out by the Senate, so amended that the whole item will read as follows:

"For Sing Sing prison, for deficiency in appropriation for new laundry building, four thousand five hundred dollars; for iron bedsteads for prison, five thousand dollars; for laundry and bathing-rooms, one thousand five hundred dollars; for filling up and preserving the dock, three thousand dollars; for repairing and furnishing school-room, one thousand dollars."

"For James Hasson, for services in aiding in the discipline at Sing Sing prison for the year eighteen hundred and seventy-five, six hundred dollars; for James McGowan, for services in aiding in the discipline at

Clinton prison for the year eighteen hundred and seventy-five, four hundred dollars."

That the Assembly do concur in the following amendments to the bill as proposed by the Senate, inserted after line 2, page 3:

"For the completion of the State armory at Auburn, ten thousand dollars, and the Commissioners of the Land Office shall sell the old armory and lot in the city of Auburn, and the funds received therefor shall be paid into the general fund."

"For the completion of the State armory at Syracuse, including the battery building attached thereto, the balcony floors and ceiling in the drill-rooms, the floor in the battery building, necessary fixtures, furniture lighting and heating apparatus complete, and for grading and sewerage, the sum of thirty thousand dollars."

That the Senate recede from the following amendment as proposed, namely:

Page 3, line 13, striking out the words "five hundred," and inserting in lieu thereof the words "one thousand."

That the Assembly concur in the following amendments to the bill, as proposed by the Senate:

Add at the end of line 13, page 3, the following: "And out of the sum hereby appropriated to the library of the sixth district, may be purchased the reports of the decisions of the courts of the States of Massachusetts and New York."

Some page, line 82, strike out the words "six hundred," and insert in lieu thereof the words "one thousand."

Page 4, line 7, after the word "full," insert the words "and the purchase of four fire extinguishers."

Same page, line 8, after the word "thousand," insert the words "two hundred and fifty."

That the Assembly do concur in the amendment proposed by the Senate, amended so as to read as follows:

Add, after line 13, page 4, the following:

"For the expenses of James G. Thompson and William Youmans, Jr., including counsel fees in the trial of the contested election for Senator in the Twenty-third Senatorial district at the election in November, eighteen hundred and seventy-three (which said expense shall be audited and paid by the Comptroller), the sum of thirteen thousand dollars, or so much thereof as shall be necessary."

"For the expenses of Hugh H. Moore in the trial of the contested election for Senator in the Eighth Senatorial district, two thousand dollars, or so much thereof as shall be necessary, to be audited and paid by the Comptroller."

"For Charles Simon for expenses incurred by him in the case of the contested election for member of Assembly for the Third district of the county of Onondaga for the year eighteen hundred and seventy-four, being a reappropriation of like amount in the supply bill of eighteen hundred and seventy-four not paid, the sum of two hundred and fifty dollars."

That the Senate recedes from the following proposed amendments:

Page 5, line 3, strike out the words "two hundred and fifty dollars," and insert in lieu thereof the words "five hundred dollars."

Same page, strike out from and including line 4 down to and including line 15.

Same page, strike out lines 18, 19 and 20.

Same page, line 23, insert after the word "the" first occurring the words "late Lieutenant-Governor and."

Line 24, strike out the word "his" and insert the word "their."

Line 26, strike out the word "two" and insert the word "three."

That the Assembly concur in the following amendment to the bill as proposed by the Senate :

Page 5, strike out lines 28 to 35, inclusive.

Page 6, strike out lines 1 to 6, inclusive.

That the Senate recede from the following proposed amendments :

Page 6, line 11, after the word "the" insert the words "Senate and Assembly."

Line 12, after the word "adjourning" insert the words "while in use by."

Strike out the word "chambers" and insert the words "during the present session of the Legislature."

Line 14, after the word "them," strike out down to and including the word "capitol" in line 18.

That the Assembly concur in the following amendment to the bill, as proposed by the Senate, and amended so as to read as follows :

Insert after the word "capitol," line 18, page 6 :

"The accounts of counsel and stenographers employed on the part of the State by the committees of investigation of the Senate and Assembly during the present session of the Legislature, and employed by the committees on privileges and elections and of finance of the Senate during the years eighteen hundred and seventy-four and eighteen hundred and seventy-five, and of counsel employed by the new capitol commissioners and by the managers of the Hudson River State Hospital on the investigation of their affairs by the finance committee of the Senate, and of the stenographers of the present Senate and Assembly, to reimburse them for amounts actually paid out by them, for assistance in writing out debates therein for the use of members thereof, and the postmasters of the Senate and Assembly for services after the close of the sessions of eighteen hundred and seventy-four and eighteen hundred and seventy-five, pursuant to resolutions of the Senate and Assembly, of the clerk of the committee on privileges and elections, and of the sergeant-at-arms of the Senate, while attending upon the committees on privileges and elections, and of finance of the Senate during the recess of the Legislature, in the year eighteen hundred and seventy-four, and subpoenaing witnesses before the same, and the accounts of the committees of investigation appointed by the present Legislature, or either branch thereof, for their expenses and the compensation and expenses of their employees and the accounts for the rent of rooms, gas, fuel, care and furniture for Senate and Assembly committees, except as herein otherwise provided, for the session of the Legislature of eighteen hundred and seventy-five, and for the services of Charles C. Nichols, as an expert in making measurements of quantities of material in the new capitol, for the use of the Senate investigating committee, and bills of printing for said committees, and for printing the constitutional amendment ballots used for the voters of the State at the election in November, eighteen hundred and seventy-four, and for printing and binding the Senate resolutions and proceedings on the life and services of the Hon. John Ganson, deceased, shall be audited by the Comptroller and paid by him out of any funds appropriated for the payment of legislative expenses."

That the Assembly concur in the following amendment to the bill as proposed by the Senate:

Page 6, line 30, after the word "house" insert "for Syracuse a group of wells."

That the Senate recede from the following proposed amendment:

Page 7, strike out lines 5 to 11, both inclusive.

That the Assembly concurs in the following amendments to the bill as proposed by the Senate:

Same page, line 16, strike out the word "ten" and insert the word "fifteen."

That the Senate recede from the following proposed amendment:

Page 7, strike out lines 23, 24, 25 and 26, and concur in the following amendment, as proposed by the Assembly, making paragraph so as to read as follows:

"For refunding to the county of Wyoming moneys alleged to have been erroneously paid into the State treasury, two thousand two hundred and seventy-six dollars and one cent, if upon investigation, the Comptroller shall determine that said county is equitably entitled thereto."

That the Assembly concur in the following amendments to the bill as proposed by the Senate:

Page 7, line 29, strike out the words "six thousand," and insert in lieu thereof the words "twelve thousand five hundred."

Page 8, lines 22 and 23, strike out the words "six thousand two hundred," and insert in lieu thereof the words "thirty thousand."

That the Assembly concur in the amendment to the bill as proposed by the Senate, and amended as follows: Strike out all after the word "necessary," line 24, page 8, down to and including the word "Comptroller," in line 32, and insert the following:

"For the payment of the clerk hire of the committee of ways and means of the last Assembly in their investigation of the question of assessment and taxation, the sum of one thousand dollars, or so much thereof as shall be necessary; and for the messenger of said committee, two hundred dollars, or so much thereof as shall be necessary; and to the clerk of the Senate, for preparing and distributing index to General Laws of the State, from eighteen hundred and fifty-seven to eighteen hundred and sixty-five, inclusive, and causing the same to be printed, under a resolution of the Senate, adopted January twenty-sixth, eighteen hundred and seventy-five, five hundred dollars, or so much thereof as may be necessary; all bills to be audited by the Comptroller."

That the Assembly concur in the following amendment to the bill as proposed by the Senate:

Page 9, after line 6, insert the following:

"For supplying the town of Ticonderoga with the Revised Statutes, Edmond's edition, to replace those destroyed by fire, fifty dollars, or so much thereof as may be necessary."

Page 9, line 9, strike out the word "four" and insert the word "three."

Line 18, strike out the words "or enlarging accommodations," and insert the words "for alteration and repairs, and additional furniture and fixtures for heating apparatus."

Line nineteen, strike out the word "ten" and insert the word "fifteen."

After line 20, insert the following:

"For the State Normal School, Buffalo, for repair upon the building

and premises, and for payment of the local assessments by the city of Buffalo, for improvements, chargeable upon the property, five thousand dollars, or so much thereof as shall be necessary."

"For the payment of the services of Abraham Lansing as State Treasurer, during the illness and suspension of Thomas Raines, State Treasurer, from June first to September fifteenth, eighteen hundred and seventy-four, eight hundred and seventy-five dollars, or so much thereof as shall be found due him on the audit and certificate of the Governor."

Page 10, line 9, after the word "lowest" insert the words "bona fide responsible," and after the word "bidder" insert the words "whose bid shall be balanced."

Add at the end of line 10, the following: "Cast-iron conduits may be substituted in said raceway in place of the walling and covering with stone, in case the said commission shall find the same can be done as cheaply and that it will be for the interest of the State so to do. No part of the work shall be contracted for, nor money expended thereon until the State Engineer shall certify that the same is necessary, and in his opinion can be completed for the amount hereby appropriated."

That the Assembly concur in the following amendment, as proposed by the Senate bill by amending so as to read as follows:

Add at end of page 10, the following:

"For the Attorney-General for the payment of the expenses of Fulton Paul, a witness from South America, attending on the part of the State, at the request of the Governor, at the trial of Charles H. Phelps, the sum of three hundred and twenty-five dollars; and for William E. Warren for expenses as a witness attending on the part of the State, at the request of the Governor, at the trial of Charles H. Phelps, the sum of three hundred and thirty-four dollars and thirteen cents, or so much thereof as may be necessary; said expenses to be audited by the Attorney-General, and paid by the Comptroller on his certificate of audit."

That the Senate recede from the following proposed amendment:

Page 10, add at the end of page (after the word "audit," in Warren item), the following:

"For the Commissioners of the Land Office, to enable them to refund, with interest, to Cheeney Ames, the purchase-money paid by him to the State, on the sale to him of certain lands, which sale was subsequently revoked, one thousand six hundred and sixty dollars, or so much thereof as shall be necessary."

That the Assembly concur in the following amendment, as proposed by Senate bill:

"For refunding to the city of Auburn the amount of the assessment for paving in front of the State armory, thirteen hundred and thirty-six dollars and seven cents; and for building a sewer in front of the State prison at Auburn, and walks in front of the State armory in said city, eleven hundred and nine dollars and sixty-six cents, to be paid on the draft of the mayor of said city."

"For the increase of the zoological and paleontological collections of the State Museum of Natural History, seven hundred and thirty dollars, to be paid under the direction of the Regents of the University."

"For the increase of the law library of the second judicial district and of the law library at Kingston, in the third judicial district, twenty-five hundred dollars each."

"For the special increase of the law library of the eighth judicial district, the sum of twenty-five hundred dollars."

That the Senate recede from the following amendments as proposed in Senate bill:

"For F. B. Carpenter, to procure a suitable frame for his full length portrait of Abraham Lincoln, two hundred dollars, or so much thereof as shall be necessary, to be paid whenever such portrait shall be accepted by the Lieutenant-Governor and the Speaker of the Assembly."

That the Assembly concurs in the following amendments to the bill as proposed by the Senate, and amended so as to read as follows:

"For the Governor, for the purpose of procuring two paintings on panel (wood or metal) of the arms or heraldic device of the State of New York, one to be placed in the State library and the other to be placed at the disposal of the committee on restoration of Independence Hall, Philadelphia, six hundred dollars, or so much thereof as may be necessary."

"For the State prison at Sing Sing, to replace cooper shop and machinery, tools, staves, heading and hoops, lime-shed and lime-store house and lime-kiln shed destroyed by fire, fifteen thousand dollars, or so much thereof as shall be necessary."

That the Assembly concur in the following amendments to the bill, as proposed by the Senate:

"For the Adjutant-General, to replace certain property destroyed by fire in the armory at Syracuse on the twenty-fourth of June, eighteen hundred and seventy-three, according to schedule in the hands of the Adjutant-General, the items of which are to be audited by him, the sum of one thousand one hundred and seventy-eight dollars and seventy-eight cents, or so much thereof as may be necessary."

"For the delegation of the Oneida Indians, to pay their expenses while attending the present session of the Legislature to present their claims against the State, the sum of five hundred dollars, to be paid to Jacob Cornelius, Cornelius Hill, Daniel Scannado and Jacob L. W. Dextator; said amount to be audited by the Comptroller."

"For the trustees of Washington's head-quarters, in pursuance of the provisions of chapter one hundred and forty-seven of the laws of eighteen hundred and seventy-five, one thousand dollars."

That the Senate recede from the following proposed amendment:

"For repairing a road on the Onondaga Indian reservation and the bridges and sluices thereof, which road is known as 'the stone ledge road,' the sum of five hundred dollars, to be expended under the supervision of Chester Baker, Philander Hoyt and Orrin Thomas, who are hereby appointed commissioners for that purpose, who shall receive no compensation for their services. But no part of the sum hereby appropriated shall be paid over to said commissioners, until they shall have executed a bond to the people of the State of New York, to be approved by the Comptroller, conditioned that they will faithfully discharge their duties as such commissioners, and truly account under oath to the Comptroller for all moneys received by them for the purposes aforesaid."

That the Assembly concur in the following amendments to the bill as proposed by the Senate:

"For the removal of intruders upon the lands of the St. Regis Indians, in Franklin county, two hundred dollars, or so much thereof as shall be necessary."

"For the Regents of the University, for deficiency in appropriation, for expenses, for postage, expressage, five hundred dollars.

"For procuring one hundred photo-plate copies each, of not less than one hundred quarto pages of the drawings prepared for the natural history of the State, one thousand dollars, to be paid under the direction of the Comptroller of the State, or so much thereof as shall be necessary."

That the Senate recede from the following proposed amendment:

"For Verplanck Colvin for expenses of Adirondack survey, for the assistants and draftsmen employed in the preparation of the map of the wilderness, and for contingent expenses of office and field work, eighteen hundred dollars."

That the Assembly concur in the following amendment to the bill as proposed by the Senate, and which is amended so as to read as follows:

"For inspector-in-chief of steam boilers for salary for fiscal year ending October first, eighteen hundred and seventy-five expenses of the office, including pay of assistant, clerk hire, traveling, stationery, printing, apparatus and repairs to the same; to be paid upon bills presented to the Comptroller, properly verified, the sum of two thousand dollars, or so much thereof as may be necessary; and the office of inspector-in-chief of steam boilers is hereby abolished."

That the Assembly concur in the following amendments as proposed by Senate bill:

"The Comptroller is hereby authorized to refund to the county of Albany certain expenses of general terms of the supreme court, held in the city of Albany, to the extent provided in section twelve, chapter four hundred and eight, Laws of eighteen hundred and seventy, upon the production of duly receipted and verified vouchers.

"For the commissioners appointed under resolution of the Legislature, adopted April twenty-ninth, eighteen hundred and seventy-four, relative to the dam on Owasco creek, in the city of Auburn, for services and expenses to be audited by the Comptroller, the sum of seven hundred and two dollars and forty cents, or so much thereof as shall be necessary, and for the expenses of D. M. Green, engineer employed by said commissioners, to be audited by the Comptroller, ninety-seven dollars and twenty cents, or so much thereof as shall be necessary.

"The corporation formed under and pursuant to the authority of chapter four hundred and ninety-two of the Laws of eighteen hundred and seventy, for the purpose of constructing warehouses, docks and wharves for quarantine purposes in the bay of New York, the plans for which and the location of said warehouses, docks and wharves having been recently made and determined by the Governor, State Engineer and Surveyor, and health officer of the port of New York, under and pursuant to chapter seven hundred and sixty of the Laws of eighteen hundred and seventy-three, shall not be deemed dissolved if it shall commence its operation within two years from the passage of this act."

"For the county of Westchester, the sum of fifteen thousand three hundred and forty-four dollars and seventy-five cents, that being the amount claimed to be due said county, pursuant to chapter eight hundred and seventeen of the laws of eighteen hundred and sixty-eight, chapter eight hundred and fifty-seven of the laws of eighteen hundred and sixty-nine, chapter seven hundred and four of the laws of eighteen hundred and seventy, and chapter eight hundred and sixty-nine of the laws of eighteen hundred and seventy-one, but which it is claimed has

not been drawn, which sum is hereby re-appropriated, and shall be allowed to said county in liquidation and payment of so much of the indebtedness of said county to the State, if, upon investigation, the Comptroller shall ascertain that the same is due said county, and unpaid.

"For the payment of the award to David M. Osborne, John H. Osborne and Orrin H. Burdick, for damages caused by the back flow of the waters of the Owasco river upon the wheels of their mower and reaper manufactory, from the effects of the State dam at the Auburn prison, as awarded to them by the commissioners appointed by the Governor, as authorized by the 'concurrent resolution relative to the dam on the Owasco river in the city of Auburn,' passed by the Senate on the twenty-first day of April, eighteen hundred and seventy-four, and concurred in by the Assembly on the twenty-ninth day of April, eighteen hundred and seventy-four, the sum of one thousand dollars, with interest thereon from the sixteenth day of December, eighteen hundred and seventy-four.

"For the payment of the award to Edward C. Hall and Orlando Lewis, for damages caused by the back flow of the waters of the Owasco river upon the wheels of their grain mill, from the effects of the State dam at the Auburn prison, as awarded to them by the commissioners appointed by the Governor, as authorized by the 'concurrent resolution relative to the dam on the Owasco river, in the city of Auburn,' passed by the Senate on the twenty-first day of April, eighteen hundred and seventy-four, and concurred in by the Assembly on the twenty-ninth day of April, eighteen hundred and seventy-four, the sum of three hundred dollars, with interest thereon from the sixteenth day of December, eighteen hundred and seventy-four.

"For the salaries and expenses of the commissioners to investigate the affairs of the canals and for the compensation of experts, agents and other assistants employed by them, thirty thousand dollars, or so much thereof as shall be necessary. All examinations of witnesses or parties by or before said commissioners, shall be open and public, whenever such witnesses shall request that such examination shall be publicly conducted. Whenever any person who has performed work or furnished materials to the State upon any of its public works shall be examined as a witness in relation thereto he may, if he desires be attended by counsel. Whenever, in the opinion of the commission, it shall be necessary for the public good to examine the witnesses separately they may, on the examination of any witness, exclude all other witnesses subpoenaed on the same matter during such examination.

"For the salary of the inspector of public works, and his expenses for clerk hire, compensation of experts and for other incidental matters in the discharge of his duties, twenty thousand dollars, or so much thereof as shall be necessary."

Page 11, line 20, add at the end of line the following "and to renew the same and to make new contracts therefor, from time to time."

That the Assembly concur in the following amendments to the bill proposed by the Senate and amended so as to read as follows (page 12, after line 6):

"The Commissioners of the Land Office shall cause to be laid out into lots of suitable size, and shall sell in accordance with the provisions of statute regulating the sale of State lands by them, the real estate owned by the State in the town of Middletown, Richmond county, now occupied by the board of trustees of the Seamen's Fund and Retreat, except-

ing that portion thereof now occupied by the Mariner's Family Association, and shall pay over to the Comptroller of the State the funds derived therefrom, who shall henceforth be the trustee of said funds; and after paying therefrom the mortgage now upon said property, shall invest the residue thereof and hold the same as a sacred trust fund, and one-tenth of the income therefrom he shall pay over annually to the institution known as the Mariner's Family Industrial Society of the Port of New York, or the Mariner's Family Association for the support of the inmates of the asylum connected therewith, so long as the said society continues to fulfill the laws under which it was created. The residue of said income of said trust fund shall be by the Comptroller annually paid and supplied to the support, care and maintenance of seamen now in the hospital connected with said Seamen's Retreat, and of all who may hereafter be entitled to be cared for under the laws establishing and regulating said institution. The trustees of the Seamen's Fund and Retreat are hereby superseded by the Commissioners of Quarantine and the Health Officer of the port of New York, who shall, subject to the provisions of this act, possess all the powers, and be subject to all the duties of said trustees, and shall render to the Comptroller vouchers for all expenditures which shall be subject to the audit and approval of said Comptroller. The Health Officer shall, with the approval of the Governor, designate the hospital or place to which the present inmates of the Seamen's Retreat Hospital shall be removed, and where all those who may be hereafter entitled to be cared for under the provisions of this act shall be received, and shall cause the present inmates of said Seamen's Retreat Hospital, and also all the personal property, goods and chattels connected therewith, to be removed thereto as soon as practicable after the passage of this act.

"For the Mariners' Family Industrial Society of the port of New York for repairs of building, to be expended under the direction of the Health Officer and Commissioners of Quarantine, twenty-five hundred dollars."

The Assembly concur in the amendment of the Senate to the item in relation to the Willard Asylum on page 12, amended as follows:

Strike out the whole of said item and insert in lieu thereof the following:

"For the Willard Asylum for the Insane, for water, gas, steam-pipes and fitting, and putting in the same, for a steward's house; to reimburse subsistence account for advances made from that account for completing docks, piers and breakwater, for land for a cemetery and pasturage and meadow, and securing water-course and enlarging reservoir, and to pay for pumps purchased; for grading, ditching and fences on asylum farm, and for the general repair and improvement of the asylum buildings and grounds and contingent expenses, fifty-six thousand dollars; to finish a new group of buildings sufficient to accommodate two hundred additional patients, one hundred thousand dollars, or so much thereof as may be necessary, to be certified by the building superintendent of the asylum."

That the Assembly concur in the following amendments to the bill as proposed by the Senate:

Page 13, line 12, strike out the words "are hereby" and insert the words "may be."

After line 38, same page, insert the following:

"For the establishment of a female department of the Western

House of Refuge for Juvenile Delinquents, as provided by chapter 228 of the Laws of 1875, the sum of seventy-five thousand dollars."

That the Assembly concur in *that portion* of the Senate amendments in relation to the Elmira Reformatory, striking out line 34 and line 35 down to and including the word "dollars," and inserting in lieu thereof the Senate amendment, amended so as to read as follows:

"For the State Reformatory at Elmira, one hundred thousand dollars. The salary of the superintendent for the construction of the said reformatory shall be three thousand five hundred dollars per year. The percentages retained and due former contractors, with interest, shall be paid by the Comptroller out of the appropriations for said reformatory."

That the Assembly concur in the following amendments to the bill as proposed by the Senate:

After line 11, page 14, insert the following:

"For the Hudson River State Hospital for the Insane, at Poughkeepsie, for finishing the new section, thirty-thousand dollars; for extending the heating and gas apparatus of the new section, twelve thousand dollars; for enlarging the kitchen, three thousand dollars; for furniture, beds and bedding, making the section ready for reception of two hundred additional patients, five thousand dollars."

Strike out lines 12 to 23 inclusive, same page, and insert in lieu thereof the following:

"For the State Homœopathic Asylum for the Insane, at Middletown, for gas, plumbing, heating and ventilating apparatus for pavilion number one, including two new boilers, with connections and setting, the sum of twenty-five thousand five hundred dollars in addition to the amount now in the treasury, to the credit of said asylum, after payment of the debts of said asylum, as hereinafter provided; for furniture for pavilion number one, fifteen thousand dollars; for iron window sashes, seven thousand seven hundred dollars; for locks and hinges, one thousand six hundred dollars; for contractors on contract for pavilion number one, to be paid as the work progresses, thirty-nine thousand dollars; for corridor to join buildings, five thousand five hundred dollars; for architect's commission, for past services, up to the time of the passage of this act, two thousand five hundred dollars, or so much thereof as may be necessary to pay for the services of the architect up to the time of the passage of this act; the duties of an architect, for such asylum shall hereafter be performed by the superintendent thereof, to be appointed by the Governor, under and in pursuance of chapter _____ of the Laws of eighteen hundred and seventy-five; for farm stock, tools, fencing and grading, three thousand five hundred dollars; for maintenance, ten thousand dollars; for officers' salaries, five thousand dollars; for legal expenses in Foote suit, fifteen hundred dollars; for railway switch and coal bins, two thousand dollars; for water supply, two thousand dollars; for laundry, engine and wash machines, three thousand dollars. The number of trustees of said asylum shall be hereafter thirteen, and Fletcher Harper, junior, Egbert Guernsey of New York; Grinnell Burt, of Warwick; Joshua Draper, Nathaniel W. Vail, Uzal T. Hayes, James B. Hulse, James H. Norton, Moses D. Stivers, of Middletown; James G. Graham, of Newburgh; Daniel Thompson, of Thompson Ridge; H. M. Paine, of Albany; and William H. Watson, of Utica, shall be and are hereby constituted said board of trustees. At the first meeting of said trustees, they shall draw lots in order to divide themselves, as near as may be, into three equal classes; one class of five shall hold office for

two years; one class of four shall hold office for four years; and one class of four shall hold office for six years; and whenever any vacancies shall exist in said board, by death, resignation, refusal to serve, removal, or by expiration of term, the governor shall nominate, and by and with the advice and consent of the Senate, shall appoint proper persons to fill such vacancies, for the balance of an unexpired term; but when for a vacancy, occasioned by the expiration of a term, then for six years.

"The Comptroller is hereby authorized and directed to pay the debts of said asylum out of the appropriations made under chapters three hundred and twenty-three and four hundred and fifty-two of the laws of eighteen hundred and seventy-four, and if any balance remain, the same shall be paid over for the purposes hereinbefore designated."

After line 23, page 14, insert the following:

"For the Bank Department five thousand dollars, to pay the expenses of regular examinations of savings banks, the same to be refunded to the Treasurer by the savings banks, in pursuance of an act entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs,' passed May eighteen hundred and seventy-five."

That the Assembly concur in the following amendment, as proposed by Senate bill, and amended so as to read as follows:

Page 16, strike out lines 1, 2 and 3, and insert in lieu thereof the following:

"For the Buffalo State Asylum for the Insane, to be expended only for the completion of the buildings already commenced, and for improving the grounds of said asylum, one hundred and fifty thousand dollars.

"The following paragraph of chapter seven hundred and thirty-three of the laws of eighteen hundred and seventy-two, in relation to the Buffalo Asylum for the Insane, which reads: 'And the following-named persons are hereby appointed managers thereof, in addition to those heretofore appointed, Silas H. Fish, Joseph Churchyard, Robert G. Stewart, Orlando Allen, Philip H. Houck, Alonzo Tanner, and Merrit H. Brooks, whose respective terms of office shall be and continue for five years,' is hereby repealed.

Page 16, strike out lines 6 to 24, inclusive, and insert in lieu thereof the following paragraph:

"The Board of Commissioners of Quarantine are hereby authorized and required to select and procure a new burying ground as near to the West Bank hospital as practicable, and on the approval by the Governor of such selection and of the price to be paid therefor, not to exceed the appraised value of the burying ground at Seguin's Point, as hereinafter provided, may purchase the same, and transfer thereto the remains of all persons buried in the burying ground at Seguin's Point, but such site shall not be located within the limits of Kings, Queens or Suffolk counties; as soon as such selection and transfer shall be made, they shall certify that fact to the Commissioners of the Land Office, who are hereby directed in advance of such purchase to cause an appraisal of the value of said burying ground at Seguin's Point to be made, and thereafter to sell and dispose of the same at public auction to the highest bidder, in the same manner as they are now authorized by law to sell other State lands, and as soon as such purchase is made such transfer of bodies shall take place."

That the Assembly concur in the following amendment to the bill as proposed by the Senate:

"For the city of Binghamton, payable from the United States deposit fund, and to be applied as a portion of the common school fund apportioned to said city for the years eighteen hundred and seventy-three and eighteen hundred and seventy-four, such sum as may be found due said city, but not exceeding the sum of sixteen hundred dollars."

That the Assembly concur in the following amendment to the bill as proposed by the Senate, and amended so as to read as follows:

After the words "Sing Sing," line 5, page 17, insert the following:

"The Comptroller is hereby authorized to pay to Wheeler H. Bristol the amount that shall have been audited by the Lieutenant-Governor and Attorney-General, pursuant to chapter 299 of the Laws of 1875, and the sum of nine thousand one hundred and fifty-nine dollars and seventy-five cents, or so much thereof as may be necessary, is hereby appropriated for that purpose."

That the Senate recede from the following amendment to the bill as proposed by the Senate:

Page 14, strike out lines 6 to 17, inclusive.

That the Assembly concur in the following amendment to the bill as proposed by the Senate:

Page 17, strike out line 16.

Same page, strike out lines 26 to 35 and line 1, page 18, inclusive, and insert in lieu thereof, the following:

"COLLEGE LAND SCRIP FUND REVENUE.

"For the Cornell University, six thousand dollars.

"PAYABLE FROM THE GENERAL FUND DEBT SINKING FUND.

"For the redemption of that portion of the general fund State debt reimbursable July first, eighteen hundred and seventy-five, nine hundred thousand dollars; and to provide the coin for the redemption of the said State debt, the sum of one hundred and twenty-five thousand dollars, or so much thereof as may be necessary.

"PAYABLE FROM THE CANAL FUND.

"For deficiency in the appropriation for clerk hire in the office of the Auditor of the Canal Department, the sum of fifteen hundred dollars."

That the Assembly concur in the following amendment to the bill as proposed by the Senate, amended so as to read as follows (after "dollars" in the foregoing paragraph):

"For the auditor, to make his compensation equal to that of last year, the sum of seven hundred and fifty dollars."

Page 18, strike out all after line 9 down to and including line 32, and insert in lieu thereof the following:

"The Comptroller shall not make any payment under the provisions of this act to, or for, the benefit of any asylum or reformatory, for the purpose of erecting new buildings, or making other permanent improvements, unless any new plans and estimates therefor shall be first presented to and approved by the Lieutenant-Governor, Comptroller and Attorney-General in writing; and in determining whether they will approve such plans for the expenditure of the appropriations in this chapter provided for said asylums and reformatories, they shall require that they shall provide for plain, substantial work, that will involve the least possible expense consistent with proper provisions for the treatment, comfort,

protection and safe-keeping of the inmates of such asylums and reformatories, and with a view of securing the most careful and economical expenditure of all moneys devoted to asylums or reformatories by this act; which said plans, after they shall have been thus approved, shall not be altered without such alterations being first approved, in writing, by the Lieutenant-Governor, Comptroller and Attorney-General."

And your committee do further report that they have been unable to agree upon the Senate amendment, inserting after the word "employed," line 31, page 14, the words "or that may be used and employed," and to the striking out from and including line 32, same page, to and including line 17, page 15, and inserting in lieu thereof the following :

"The Superintendent of the New Capitol is hereby authorized and directed to audit or settle any outstanding obligations for rent, labor or materials done or furnished by order of the Board of New Capitol Commissioners, heretofore existing, subject to the concurrent approval in writing of the Commissioners of the New Capitol hereinafter named, and in such audit and settlement any claims, over payments or equitable offsets the State may have to any such obligations shall be deducted therefrom, and the amount allowed and approved by the commissioners, as aforesaid, shall be paid by the Comptroller out of this appropriation, with such interest as shall be allowed and approved by said commissioners aforesaid.

"The Board of New Capitol Commissioners, as heretofore constituted, is hereby abolished, and the powers and duties of said board are hereby devolved upon the Lieutenant-Governor, Comptroller and Attorney-General of the State, who shall hereafter constitute the new capitol commission.

"Before any portion exceeding fifty thousand dollars of the sum by this act appropriated for the construction of said new capitol shall be expended, full detail plans and specifications of the story of said building containing the legislative halls thereof shall be made and approved, in writing, by said Lieutenant-Governor, Comptroller and Attorney-General, and not more than one-half of the said appropriation shall be expended before full detailed plans and specifications of the whole of the remainder of said building shall be made and approved, in writing, by the said Lieutenant-Governor, Comptroller and Attorney-General, and when so approved they shall not be altered or departed from except by the concurrent written consent and approval of said Lieutenant-Governor, Comptroller and Attorney-General, which said consent and approval shall be indorsed upon a plan accompanied by specifications, which shall fully and distinctly state the extent of such alteration, and the manner and extent the expense of said building will be affected by such alteration.

"The furnishing of all the materials shall be by contract, or contracts; and the doing of all the work shall be by contract, or contracts, except such portions thereof as in the concurrent opinion of said commissioners the interests of the State require to be done by day's work.

"All contracts shall be awarded to the lowest bona fide responsible bidder or bidders, after being advertised by the superintendent in the State paper once in each week for four weeks consecutively, immediately preceding the letting of said contract, the notice of letting to be signed by the superintendent, shall state the work to be let, the quality, quantity and kind of materials to be bid for, and the length of time which will be given for the completion of the work, or the delivery of materi-

als, the amount of security required, the bonds to be furnished for the faithful performance of the contract. The proposals received shall be exhibited to the said Lieutenant-Governor, Comptroller and Attorney-General, together with the proposed contract, which on their concurrent written approval indorsed thereon shall be entered into on the part of the State by said superintendent.

"The said contracts shall each reserve the right to the said superintendent, with the concurrence of the said commissioners to declare the same forfeited whenever in the judgment of said superintendent and commissioners said contract is not being performed for the interest of the State."

And that they have also been unable to agree upon that portion of the Senate amendment in relation to the Elmira Reformatory, striking out all after the word "dollars" in line 35, page 13, down to and including line 11, page 14, which reads as follows: "And from and after the passage of this act, the construction and completion of said reformatory shall be under the direction and supervision of a building commission appointed under the provisions of chapter six hundred of the laws of eighteen hundred and seventy-three, entitled 'An act relating to the building commissioners for the erection of the State Reformatory at Elmira, Chemung county.'"

All of which is respectfully submitted.

D. P. WOOD,
S. S. LOWERY,
JOHN C. JACOBS,
Senate Committee.

S. H. HAMMOND,
F. W. VOSBURGH,
JAMES W. HUSTED,
T. G. ALVORD,
Assembly Committee.

Mr. Wood moved that the report of the committee of conference be agreed to, so far as said committee have reported an agreement, and to such portion thereof as the committee have reported a disagreement, that a new committee be appointed thereon, and the Assembly be requested to appoint a like committee.

Mr. Bradley moved as an amendment that the Senate disagree to that portion of the report which recommends that the Senate recede from its amendment relative to the appropriation for Elmira Reformatory.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Wood, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Thompson
Cole	Johnson	Madden	Tobey
Connelly	Kellogg	McGowan	Wagner
Dickinson	King	Middleton	Wellman
Dow	Laning	Ray	Wood
Gross	Lord	Robertson	Woodin
			24

FOR THE NEGATIVE.

Coe	Selkreg	2
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Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in a portion of the report of the committee of conference thereon, and request the appointment of a new committee.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act relating to the repavement of streets, avenues and highways in the city of New York heretofore paved with wood or concrete."

"An act in relation to taxes on lands sold by the State, and to amend the Revised Statutes in relation thereto."

After some time spent therein the President resumed the chair, and Mr. Wellman, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Wellman, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The committee of conference appointed on the part of the Senate and Assembly, to which was referred the matters of difference between the two houses upon the Senate bill entitled "An act in relation to county treasurers of the counties of Monroe, Seneca, Ontario, Yates, Westchester, Rockland, Putnam, Dutchess and Columbia," respectfully report that they have met and duly considered the same, and have agreed to recommend as follows:

That the Assembly recede from its amendments to said bill in striking therefrom the counties of Ontario, Seneca and Yates, and that the Senate concur in the amendments of the Assembly striking therefrom the counties of Columbia, Rockland, Dutchess, Westchester and Putnam, and that the bill be amended so as to read, "An act in relation to the county treasurers of the counties of Monroe, Seneca and Yates."

WM. JOHNSON,
W. H. ROBERTSON,
BENJAMIN RAY,

Senate Committee.

S. H. HAMMOND,
THOS. C. CAMPBELL,
G. W. SCHUYLER,
L. C. WAEHNER,

Assembly Committee.

IN ASSEMBLY, *May 18, 1875.*

Report of the committee of conference was agreed to with the following amendment:

Strike out from the operation of said act the counties of Ontario and Yates.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to the report of the committee of conference, as amended in the Assembly, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Thompson
Coe	Johnson	McGowan	Tobey
Dayton	King	Middleton	Wagner
Dickinson	Laning	Robertson	Wellman
Dow	Lord	Selkreg	

FOR THE NEGATIVE.

Cole
ConnellyKellogg
Madden

Wood

Woodin

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference, as amended.

The Senate then went into executive session; and, after some time spent therein, the doors were opened, and,

Mr. Woodin moved that the Senate take a recess until 4 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Fox moved that the Senate take a recess until half past seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Madden, from the committee on railroads, to which was referred the bill entitled "An act to repeal chapter 479 of the Laws of 1874, entitled 'An act to authorize the construction and use of a railroad in the city of Brooklyn and county of Kings, and the towns of Newtown and Jamaica in the county of Queens,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 455 of the Laws of 1847, entitled 'An act, to amend an act entitled An act to reduce the number of town officers, and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed May 10, 1845," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act supplementary to chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Middleton, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

"An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons as experts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act supplementary to and amendatory of the several acts relating to the water supply of Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to incorporate the Electro-Medical College of the State of New York, in the city of New York," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act for the better regulation of railroad companies and the election of the officers of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the common council of the city of Binghamton to raise and borrow money to be used by commissioners for the purpose of purchasing land and erecting a city hall building, and a lock-up thereon, and furnish the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

"An act to provide for the recording of certain decrees in partition suits in the clerks' offices of certain counties of this State, and for the alphabetical indexing of the names of the grantors and grantees of deeds, mortgages and other instruments recorded and to be recorded in said clerks' offices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to provide for the construction and operation of a steam railway or railways in counties of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Assembly returned the Assembly bill entitled "An act in relation to the Inebriates' Home for Kings county, and to amend chapter 687 of the Laws of 1872, entitled 'An act to provide means for the support of the Inebriate Home for Kings county, and the better government thereof,'" with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee on their part, Messrs. McGroarty, Kennaday, Talmage, Burtis and Hess.

Mr. Jacobs moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee, Messrs. Coe, Madden and Ray.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to authorize the common council of the city of Buffalo to discontinue East street between Parish and South streets, and Dearborn street between Parish and Tonawanda streets."

"An act relative to certain lands in the village of Flushing, devised by Silas Hicks, deceased, to his wife, since deceased, during the term of her life, and upon her decease to trustees, and to authorize the sale thereof, and the disposition of the proceeds of sale in accordance with the provisions of said will."

"An act to provide for the compensation of non-resident justices sitting and acting as members of the general term of the first judicial department."

"An act to enable the Buffalo General Hospital to change the number of its trustees."

"An act to amend an act entitled 'An act to amend the act entitled An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act establishing a capital police district, and to provide for the government thereof,' passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany, passed March 16, 1870; passed April 15, 1871."

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto, respectively :

"An act to amend chapter 219 of the Laws of 1871, entitled 'An act to provide redress for words imputing unchastity to a female,' passed March 29, 1871."

"An act in relation to the estate of the infant children and heirs at law of Martha West Yale, deceased."

"An act authorizing the city of Buffalo to take certain lands for a public park, and to provide for the payment thereof."

"An act to release to the heirs at law and devisees of William Moffat, late of Syracuse, the right, title and interest of the people of the State of New York in and to certain real estate in the city of Syracuse."

"An act in regard to the boundary monuments of the State."

"An act to amend chapter 428 of the laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865, passed April 28, 1865,' entitled 'An act to amend an act entitled An act in relation to the compensation of the several officers of State prisons,' passed April 23, 1864."

"An act to exempt property, real and personal, of the Society of the New York Hospital, from taxation."

"An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes.'"

"An act to amend chapter 495 of the Laws of 1874, entitled "An act in relation to certain assessments for sewers in the city of Brooklyn.""

"An act to confirm and legalize the acts of Deliverance Rogers, as notary public of the county of Washington, since March 30, in the year of our Lord 1875."

"An act to except a railroad proposed to be constructed in the towns of New Utrecht, Gravesend and Flatlands, from the provisions of an act to regulate the construction and protection of railway crossings in the county of Kings, passed April 19, 1871."

"An act authorizing the appointment of Centennial Commissioners,"

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled Assembly bill, with a message that they had agreed to the report of the committee of conference thereon :

"An act to authorize the formation of corporations for the safe-keeping and guarantying of personal property."

Ordered, That the Clerk return said bill to the Assembly.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same.

On motion of Mr. Selkreg, and by unanimous consent, said bill was ordered to a third reading.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of fish in the River St. Lawrence,' passed June 12, 1873," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Dickinson, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same ordered to a third reading.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act for the preservation of fish in the Niagara river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act supplementary to chapter 332 of the Laws of 1868, passed April 27, 1868, and relating to the Hudson Highland Suspension Bridge Company, and of the several acts amendatory thereof."

"An act to permit the town officers of the county of Rockland to take the oath prescribed by the Constitution."

"An act in relation to the county court-house and jail in Queens county."

Mr. Woodin, from the same committee, reported the following bill as correctly re-engrossed :

"An act to repeal section 3 of chapter 130 of Laws of 1871, being an act authorizing the town of Friendship to raise moneys by tax in aid of Friendship Academy."

A message from the Assembly was received and read as follows :

IN ASSEMBLY, *May 18, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 546 of the Laws of 1872, entitled 'An act to incorporate the Mechanicville Bridge Company, for the purpose of constructing a bridge over the Hudson river, between the village of Mechanicville and the town of Schaghticoke.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. West, and by unanimous consent, the same was amended as follows :

Add at the end of section 1 the following: "This corporation shall expire at the end of fifty years."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in

the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Ray
Coe	Jacobs	Madden	Robertson
Cole	Kellogg	McGowan	Selkreg
Connelly	King	Middleton	Thompson
Dickinson	Laning	Parmenter	Wellman
Dow			

21

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Dow	McGowan	Selkreg
Cole	King	Middleton	Thompson
Connelly	Laning	Parmenter	Wagner
Dayton	Lord	Ray	Wood
Dickinson	Lowery	Robertson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *May 18, 1875.*

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to authorize the court of oyer and terminer and court of sessions of the county of Kings to sentence prisoners convicted in said courts of any offense to the penitentiary of said county for any term for which they might be sentenced to a State prison."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. McGroarty, and by unanimous consent, the same was amended as follows :

Amend the title by striking out, in third line, the words "any offense," and insert in lieu thereof the words "certain offenses."

And as amended passed, and ordered sent to the Senate for concurrence.

By order.

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Dow	Lowery	Ray
Cole	Jacobs	Madden	Robertson
Connelly	King	McGowan	Selkreg
Dayton	Laning	Middleton	Thompson
Dickinson	Ledwith	Parmenter	Wellman

20

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Ray
Coe	Jacobs	Madden	Robertson
Cole	Kellogg	McGowan	Selkreg
Connelly	King	Middleton	Wagner
Dayton	Laning	Parmenter	Wellman
Dickinson			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, May 18, 1875.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to provide houses of detention in the several counties in this State for the safe-keeping and proper care of women and children charged with offenses and held for trial, and also for the detention of all persons held as witnesses."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Sherman, and by unanimous consent, the same was amended as follows :

Strike out section 2, and insert the following :

"§ 2. Whenever a house of detention shall be provided in any county according to the provisions of this act, any magistrate in such county authorized to commit persons charged with offenses and held for trial shall direct on his order of committal, in case the person charged is a woman or girl, or a boy under sixteen years of age, that such person be placed in the House of Detention in his county instead of the jail, and every person held as a witness in such county shall be placed in such house of detention."

And as amended passed, and ordered sent to the Senate for concurrence.

By order,

HIRAM CALKINS, Clerk.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	Lowery	Ray
Cole	Kellogg	Madden	Robertson
Connelly	King	McGowan	Selkreg
Dayton	Laning	Middleton	Thompson
Dickinson	Ledwith	Parmenter	Wellman
Dow			

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The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Cole	Jacobs	Lowery	Ray
Connelly	Kellogg	Madden	Robertson
Dayton	King	McGowan	Thompson
Dickinson	Laning	Middleton	Wellman
Dow	Lord	Parmenter	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly returned the bill entitled "An act making appropriations for certain expenses of government," with a message that they had agreed to the report of the committee of conference thereon, except the following:

"The Commissioners of the Land Office shall cause to be laid out into lots of suitable size, and shall sell in accordance with the provisions of statute regulating the sale of State lands by them, the real estate owned by the State in the town of Middletown, Richmond county, now occupied by the board of trustees of the Seamen's Fund and Retreat, excepting that portion thereof now occupied by the Mariner's Family Association, and shall pay over to the Comptroller of the State the funds derived therefrom, who shall henceforth be the trustee of said funds; and after paying therefrom the mortgage now upon said property, shall invest the residue thereof and hold the same as a sacred trust fund, and one-tenth of the income therefrom he shall pay over annually to the institution known as the Mariner's Family Industrial Society of the Port of New York, or the Mariner's Family Association for the support of the inmates of the asylum connected therewith, so long as the said society continues to fulfill the laws under which it was created. The residue of said income of said trust fund shall be by the Comptroller annually paid and applied to the support, care and maintenance of seamen now in the hospital connected with said Seamen's Retreat, and of all who may hereafter be entitled to be cared for under the laws establishing and regulating said institution. The trustees of the Seamen's Fund and Retreat are hereby superseded by the Commissioners of Quarantine and the Health Officer of the Port of New York, who shall, subject to the provisions of this act, possess all the powers, and be subject to all the duties of said trustees, and shall render to the Comptroller vouchers for all expenditures which shall be subject to the audit and approval of said Comptroller. The said Commissioners of the Land Office shall, with the approval of the Governor, designate the hospital or place to which the present inmates of the Seamen's Retreat Hospital shall be removed, and where all those who may be hereafter entitled to be cared for under the provisions of this act shall be received and shall cause the present inmates of said Seamen's Retreat Hospital, and also all the personal property, goods and chattels connected therewith to be removed thereto as soon as practicable after the passage of this act," and upon the matters in difference between the two Houses, have appointed a committee of conference thereon consisting of Messrs. Hammond, Vosburgh, Waehner, Alvord and Hess.

By order.

HIRAM CALKINS, *Clerk*.

Ordered, That the Clerk return said bill to the Assembly.

Mr. Laning moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 320 of the Laws of 1859 entitled 'An act to amend the incorporation of the village of Lancaster in the county of Erie,'" and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Connelly moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to incorporate the Great Council of the Improved order of Red Men in the State of New York," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Coe moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to repeal chapter 479 of the Laws of 1874, entitled 'An act to authorize the construction and use of a railroad in the city of Brooklyn and county of Kings, and the towns of Newtown and Jamaica, in the county of Queens,'" and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Laning moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act relative to the powers of the Buffalo Street Railroad Company and the Buffalo East Side Railroad Company of the city of Buffalo," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend the charter of the village of Avon."

"An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany."

"An act to extend or enlarge the powers of the trustees of the village of Wilson, in the county of Niagara."

After some time spent therein the President resumed the chair, and Mr. Johnson, from said committee, reported progress on said named bills, and asked leave to sit again.

Mr. Wellman moved that the committee of the whole be discharged from the further consideration of the first named bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Laning moved that the committee of the whole be discharged from the further consideration of the second named bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Cole moved that the committee of the whole be discharged from

the further consideration of the last named bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to release to Susan Grant the right, title and interest of the people of the State of New York in and to certain real estate in the city of Rochester."

"An act to release the interest which the State of New York may have acquired to the real estate of which John Smith died seized to his widow, Mary Newman."

"An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn to Anne Pinkerton, formerly Anne Scott."

After some time spent therein the President resumed the chair, and Mr. Jacobs, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Jacobs, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Coe moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to legalize and confirm the official acts and proceedings of Edson Potter, Harvey P. Potter, Benjamin F. Read, and William Horton as constables in the town of Colton, county of St. Lawrence."

"An act to amend chapter 408 of the Laws of 1870, entitled 'An act relating to the supreme court, and to the election of a judge of the court of common pleas in and for the city and county of New York.'"

"An act to further amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

After some time spent therein the President resumed the chair, and Mr. Laning, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Laning, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act relating to armories in the city of New York."

"An act to repeal chapter 969 of the Laws of 1867, entitled 'An act in relation to the inspection of steam boilers in the State of New York, except in the Metropolitan Police district.'"

"An act to further amend chapter 306 of the Laws of 1861, entitled 'An act to amend the act passed May 8, 1846, entitled An act to autho-

alize the establishment of the House of Refuge for Juvenile Delinquents in Western New York.'"

After some time spent therein, the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of said bills, which report was agreed to, and the same ordered to a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to alter the commissioners' map of the city of Brooklyn, and closing a part of Bushwick avenue court-yard," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to provide for the opening and improving of Lewis avenue, and for extending, opening and improving of Downing street, in the city of Brooklyn," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to widen and improve Ninth avenue and Fifteenth street in the city of Brooklyn,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for laying an assessment for sewers in said district," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the appointment of commissioners to examine the accounts, acts and proceedings of the board of water commissioners of the city of Rochester, for constructing water-works for said city, and also the commissioners appointed to fix upon the site for a city hall and erection of a building, to be used as such, thereon in the city of Rochester," reported in favor of the passage of the same, with amendments and the title amended so as to read as follows: "An act appointing commissioners to examine the accounts, acts and proceedings of the board of water commissioners of the city of Rochester, for constructing water-works for said city, and also the commissioners appointed to fix upon the site for a city hall and erection of a building to be used as such, thereon in the city of Rochester," and said bill was committed to the committee of the whole.

On motion of Mr. Woodin, and by unanimous consent, the committee of the whole were discharged from the further consideration of said bill, and the same ordered to a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act in relation to the care, custody and management of the water-works of the city of Rochester and to regulate the collection of water rents in said city," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to alter and define the boundaries of the first and second commissioner districts of Monroe

county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act in relation to the police department in the city of New York," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act relative to the custody of certain records of tax and assessment sales in the city of Brooklyn."

"An act to require the payment of certain premiums to the fire departments of cities and incorporated villages, by fire insurance companies not organized under the laws of the State of New York, but doing business therein."

"An act to regulate the price of, and the quality of, gas used in the city of Yonkers, in the county of Westchester."

After some time spent therein the President resumed the chair, and Mr. Madden, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to amend an act entitled 'An act in relation to the pay of the officers and members of the fire department of the city of Brooklyn,' chapter 856, Laws of 1873, passed June 28, 1873."

"An act to provide for the payment of an award due from the city of Brooklyn to the Brooklyn park commissioners, for lands taken from Prospect park for reservoir purposes."

"An act to amend chapter 521 of the Laws of 1857, entitled 'An act in relation to sewerage and drainage in the city of Brooklyn.'"

After some time spent therein the President resumed the chair, and Mr. Lowery, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the appointment and employment of a stenographer for the recorder's court of the city of Oswego," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Kellogg, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same ordered to a third reading.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the apportionment of rents, annuities, dividends and other payments," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 122 of the

Laws of 1851, entitled 'An act for the incorporation of building, mutual, loan and accumulating fund associations,' reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the confinement of convicts in the county penitentiaries of this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act in relation to the Port road in the city of Brooklyn."

Assembly, "An act to amend chapter 583 of the Laws of 1874, entitled 'An act to lay out and improve a public highway or avenue and concourse in continuation of a public highway or avenue heretofore laid out from Prospect park, in the city of Brooklyn, toward Coney Island, in the county of Kings.'"

"An act to amend chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water, and supplementary thereto.'"

After some time spent therein, the President resumed the chair, and Mr. McGowan, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. McGowan, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. King moved that the committee of the whole be discharged from the further consideration of the last named bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to make further provision for the payment of further expenses of the local government of the city of New York."

"An act to amend chapter 757 of the Laws of 1873, entitled 'An act to amend chapter 395 of the Laws of 1873, entitled An act to reorganize the local government of the city of New York,' passed April 13, 1873."

Assembly, "An act for the preservation of fish in the Niagara river." After some time spent therein, the President resumed the chair, and Mr. Kellogg, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Kellogg, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Kellogg, from the same committee, reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses, relative to the Assembly bill entitled "An act to regulate pilotage for the port of New York," having met and duly considered the same, have agreed to recommend as follows :

That the Senate recede from its amendments.

JOHN W. COE,
JOHN A. KING,
W. H. ROBERTSON,

Senate Committee.

TIMOTHY J. CAMPBELL,
For Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Robertson	
Coe	Gross	Madden	Selkreg	
Connelly	Jacobs	Middleton	Thompson	
Dayton	Kellogg	Moore	Wellman	
Dickinson	Laning	Ray	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to amend section 6 of title 4 of chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act providing for the disposition of excise moneys in the several towns of Orange county, except the city and town of Newburgh."

"An act to authorize towns, cities and villages to pay their bonds, issued for railroad purposes, by exchanging therefor their stock or bonds."

Assembly, "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864."

After some time spent therein the President resumed the chair, and Mr. Ray, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Ray, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ray, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Coe, the Senate adjourned.

WEDNESDAY, MAY 19, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Dickinson, the reading of the journal of yesterday was dispensed with.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act further to amend section 21 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, with amendments.

On motion of Mr. Selkreg, and by unanimous consent, said bill was ordered to a third reading.

Mr. Lowery, from the committee on finance, to which was recommitted the Assembly bill entitled "An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn," with a message that they had concurred in the passage thereof, with the following amendments:

Strike out all after the enacting clause and insert as follows:

"SECTION 1. Section two of title two of the act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June twenty-eighth, eighteen hundred and seventy-three, is hereby amended so as to read as follows:

"§ 2. The common council shall, on and after the first Monday of January, one thousand eight hundred and seventy-six, consist of one alderman to be elected from each ward, as hereinafter prescribed. There shall be elected, at the general election to be held in the year one thousand eight hundred and seventy-five, and again in the year one thousand eight hundred and seventy-six, and at such election every two years after the said election of one thousand eight hundred and seventy-six, by the electors respectively of the first, third, fifth, seventh, ninth, eleventh, thirteenth, fifteenth, seventeenth, nineteenth, twenty-first, twenty-third and twenty-fifth wards of said city, one alderman for each of the said wards; and there shall be elected at the said general election in the year one thousand eight hundred and seventy-five, and at such election every two years thereafter, by the electors respectively of the second, fourth, sixth, eighth, tenth, twelfth, fourteenth, sixteenth, eighteenth, twentieth, twenty-second and twenty-fourth wards of the said city one alderman for each of the last-mentioned wards.

"§ 2. Section four of title two of said act is hereby amended so as to read as follows:

"§ 4. The terms of the aldermen so chosen shall commence on the first day of January next succeeding their election, and the compensation of

each shall be one thousand dollars per year, with the exception of the president of said board, who shall receive twenty-five hundred dollars per year. And the terms of office of the present aldermen, and of all aldermen hereafter elected, shall continue until their successors shall be chosen as above provided and shall have qualified.

“§ 3. Title three of said act is hereby amended by adding the following section :

“§ 17. There shall be elected at the general election to be held in the year 1875, and at such election every two years thereafter by the electors, respectively, of the first, third, fifth, seventh, ninth, eleventh, thirteenth, fifteenth, seventeenth, nineteenth, twenty-first, twenty-third and twenty-fifth wards of the said city, one supervisor for each of the said wards; and there shall be elected at the said general election in the year one thousand eight hundred and seventy six, and at such election every two years after the said election in the year one thousand eight hundred and seventy-six by the electors, respectively, of the second, fourth, sixth, eighth, tenth, twelfth, fourteenth, sixteenth, eighteenth, twentieth, twenty-second and twenty-fourth wards of said city, one supervisor for each of the last-mentioned wards. The supervisors so chosen shall be entitled to take their seats on the first day of January next succeeding their election, and shall hold their offices until their successors shall be chosen, as above provided, and shall have qualified. The supervisors to be chosen by this section provided, shall possess the powers and be entitled to the compensation, respectively, of supervisors of the county of Kings.

“Section four of title two of said act is hereby amended so as to read as follows :

“§ 4. The terms of the aldermen so chosen shall commence on the first day of January next succeeding their election, and the compensation of each shall be one thousand dollars per year, with the exception of the president of said board, who shall receive twenty-five hundred dollars per year; and the terms of office of the present aldermen, and of all aldermen hereafter elected shall continue until their successors shall be chosen, as above provided, and shall have qualified.

“§ 4. Section one of title six of said act is hereby amended so as to read as follows :

“§ 1. At the first meeting of the board of aldermen in January, in the year eighteen hundred and seventy-five, the mayor shall nominate and, with the consent of the board of aldermen, shall appoint a treasurer. He shall be the head of the treasury department, and shall hold office for two years, and receive an annual salary of seven thousand dollars, and all provisions of law providing for the election of a treasurer of the city of Brooklyn are hereby repealed. The treasurer shall receive and deposit daily all moneys belonging to the city, in such banks and trust companies, to the credit of the city, upon such terms and in such amounts as the commissioners of the sinking fund may direct, or as he, in default thereof, may determine. The amount so deposited shall be, as near as may be, in proportion to the capital of the several banks and trust companies in which such deposits shall be made, and all interest that may accrue on all money so deposited shall be collected by and be credited to the city quarterly, and a detailed account thereof furnished to the comptroller. He shall keep an accurate account of all receipts and payments, and make weekly returns thereof in such manner as the comp-

troller may direct. It shall be the duty of the heads of the several departments, all justices of the peace, police justices, and other officers of the city, to pay him all moneys by them received belonging to the city, at the times and in the manner provided in this act, or as may be directed by the common council, or in default thereof by the comptroller, and to account therefor under oath, with items, to the comptroller. No moneys shall be drawn from the treasury, except in pursuance of an appropriation by the common council, or under the provisions of existing laws and upon warrants signed by the mayor or acting mayor, and by the comptroller or his deputy, and countersigned by the city clerk, or, in his absence, by his assistant. Such warrants shall specify for what purpose the amount therein mentioned is to be paid, the appropriation or account against which it is drawn, and the date of the law or resolution authorizing the same; and the said clerk shall keep an accurate account of all orders directing moneys to be paid in a book to be provided for that purpose; provided that redemption moneys may be drawn out of the treasury by checks signed by the registrar of arrears and countersigned by the comptroller.

"§ 5. Title eight of said act is hereby amended by adding thereto the following:

"§ 41. It shall not be lawful for the purchaser of any property that may have been or may hereafter be sold for unpaid taxes, assessments or water rates, to charge or receive more than ten per cent per annum interest upon the money which said purchaser may have paid for such property and taxes, nor more than fifty cents for each notice now by law required to be served by such purchaser upon the owner, mortgagee, lessee or assignee of such property so bought.

"§ 6. Section twenty-three of title two of said act is hereby amended so as to read as follows:

"§ 23. It shall be the duty of the mayor, comptroller, and board of aldermen to include in their statements and estimates provided for by sections twenty and twenty-one of this title the sum of four thousand dollars to be paid to the City Hospital; the sum of four thousand dollars to be paid to the Long Island College Hospital; the sum of four thousand dollars to be paid to the Brooklyn Homœopathic Hospital; the sum of fifteen hundred dollars to be paid to the Brooklyn Central Dispensary; the sum of fifteen hundred dollars to be paid to the Brooklyn City Dispensary; the sum of ten hundred dollars to be paid to the Brooklyn Eclectic Dispensary; the sum of fifteen hundred dollars to the Brooklyn Homœopathic Dispensary; the sum of twenty hundred dollars to be paid to the Williamsburgh Dispensary; the sum of fifteen hundred dollars to be paid to the Long Island College Dispensary; the sum of ten hundred dollars to be paid to the Gates Avenue Homœopathic Dispensary; the sum of twenty-five hundred dollars to the Brooklyn Nursery; the sum of fifteen hundred dollars to the Williamsburgh Homœopathic Dispensary; the sum of twenty-five hundred dollars to be paid to the Brooklyn Homœopathic Lying-in Asylum; the sum of fifteen hundred dollars to the Eye and Ear Hospital of the City of Brooklyn; to the Southern Dispensary and Hospital, ten hundred dollars; to the Orthopedic Dispensary, fifteen hundred dollars; to the Saint Peter's Hospital, four thousand dollars; to the Saint Peter's Dispensary, fifteen hundred dollars; the Atlantic Avenue Dispensary, one thousand five hundred dollars; such several sums of money to be paid to said several institutions in consideration of their contracting to render and rendering

medical and surgical aid and treatment to the poor of the city of Brooklyn who may apply to them therefor; such contracts to be in writing, executed on behalf of the city by the said mayor and comptroller, and also by the executive officers of said institutions respectively, and to be approved by the counsel of the corporation of the said city, and filed annually on or before the thirty first day of May, in the office of the clerk of said city.

"§ 7. Title twelve of said act is hereby repealed, and the following enacted in lieu thereof :

"TITLE 12.

"SECTION 1. There shall be a department of health which shall be known as the board of health of the city of Brooklyn, which shall have jurisdiction over said city.

"§ 2. The management and control of said department shall be vested in a board of health to be composed of the president of the board of aldermen, the president of the board of police, and one physician who shall have been ten years in active practice, and five years a resident of the city of Brooklyn immediately prior to his appointment.

"§ 3. Within five days after the passage of this act (and on the first Monday in May, eighteen hundred and seventy-seven, and every two years thereafter), the mayor shall nominate and, with the consent of the board of aldermen, appoint one physician, who is eligible to the office, as a member of the said board of health, who shall be president thereof, and shall hold office until his successor shall have duly qualified; and the said physician, after having duly qualified, together with the president of the board of police and the president of the board of aldermen, shall constitute the board of health for the city of Brooklyn, and thereupon the powers and duties of the existing board of health shall cease and be no longer operative, and the commissioners appointed under this act shall, in all things, supersede and take the place of the said existing board of health of the city of Brooklyn. In case of death, resignation, removal from office, or other inability to serve, of the physician so appointed, the vacancy shall be filled for the balance of the unexpired term by the mayor and common council in the manner herein provided for appointment under this act. The salary of said physician shall be five thousand dollars per annum.

"§ 4. Said board of health, as thus constituted, shall have power to act as a legislative board, in regard to all matters pertaining to public health and to the registration of vital statistics in said city, and to make such rules and regulations and such appointments of officers and employees as it may deem necessary for the proper carrying out and enforcement of all laws, ordinances, and codes that may be prescribed for its government for the protection of the public health, and for the proper care and registration of such statistics.

"§ 5. The said board of health is hereby authorized and directed to prepare such ordinances as it shall deem to be required for the protection of the public health, and for securing the proper registration of births, marriages, deaths, and such other statistical information necessary for the efficient working of the department, with penalties for their violation, which ordinances shall be by said board submitted to the common council, and when approved by said common council shall have and possess the same power and effect as other ordinances of said city, and shall be carried out and executed by said board of health.

"§ 6. Said board of health shall have exclusive power to appoint a secretary, sanitary superintendent, register of records, inspectors, and such other officers and employees as it may deem proper and necessary to the efficient, safe, and economical discharge of the duties by this act devolved on said board, and to fix their compensation — providing, however, that the whole expense of administering said department shall not exceed the sum appropriated therefor by the board of estimate — and all expenditures so incurred, for whatever purpose, shall be made and met in such manner as is provided for other departments of the city government. It shall be the duty of the board of police to execute the orders of the board of health, when so requested by said board of health.

"§ 7. In the presence of heat and imminent peril to the public health of the city of Brooklyn by reason of impending pestilence, it shall be the duty of said board to take such measures and do, and order, and cause to be done, such acts, and to make such expenditures (beyond those duly estimated for as provided) for the preservation of the public health from such impending pestilence as it may, in good faith, declare the public safety and health to demand, and the mayor of said city and the president of the Medical Society of Kings county shall also, in writing, approve; and such peril shall not be deemed to exist, except when and for such period of time as the mayor, president of the Medical Society and board of health shall by proclamation declare.

"§ 8. The said department of health shall have full power to enforce and carry out all ordinances, rules or regulations for the preservation of the public health, and for the registration of vital statistics, as may be hereafter enacted by the common council of the city of Brooklyn in the manner prescribed by this act, and to prohibit in said city any business or practice which such board of health shall declare to be dangerous or detrimental to the public health. But no established business or the rights to property of any person shall be interfered with or prohibited, until the offender or offenders therewith charged shall have been duly summoned by notice of not less than five days to appear before said board to show cause why such declaration or order of prohibition shall not be enforced against the said party or parties charged, nor until they shall have an opportunity to be heard; and upon the rendition of the decision of the said board of health that said business or practice is detrimental to the public health, the said person or persons so charged shall have the right of appeal from such decision to the city court of the city of Brooklyn, upon petition reciting the said charges and decision directed to the said city court of Brooklyn, a copy of which petition shall be duly served upon the said board of health within five days from the rendition of its said decision; and the said city court shall proceed to a hearing and determination of such matter, which hearing shall be by trial of the issues embraced in the said petition before said court upon such day as the said court shall fix at its then existing or first term thereafter; and the decision of said city court in said matter shall be final. But no such appeal shall be had or taken until a bond to be approved by the court shall have been duly filed with the court conditioned in the sum of five hundred dollars, that the said appellant will pay to the board of health of said city all costs which may be awarded against such appellant or appellants, in case the said decision rendered by the said board of health and appealed from shall be affirmed by final judgment.

"§ 9. The department of city works, in conjunction with the department of health, shall have full and exclusive power to make contracts

for the removal of all offal, dead animals, night soil, garbage or other refuse matter from the city of Brooklyn for a period not exceeding five years, and to require and receive bonds in such form and amount as the said departments jointly may approve for the faithful performance by the person or persons to whom such contracts may, by said departments in their discretion, have been awarded, of all and every of the provisions of such contracts, and to cancel and revoke all contracts made by them, or which may be entered into under this section, as well as all existing contracts for the removal of the matters aforesaid, whenever the contractor shall refuse or neglect to perform any of the stipulations of such contracts.

"§ 10. All contracts shall be signed by the presidents of the two boards, and no contract shall be made or terminated, except by the affirmative vote of a majority of the members of the conjoint board of health and city works. All contracts, when so made, shall be carried out and executed under the supervision and control of the board of city works; but cognizance shall always be taken of any complaint of neglect of duty on the part of a contractor when made by the board of health, and the president of said board of health may, at any time, convene a joint meeting of the two said boards, whenever, in the opinion of the board of health, any contract entered into by such boards is not being properly carried out or executed.

"§ 11. All laws and parts of laws heretofore enacted, in so far as they create, govern, empower or define the duties of the health department or board of health of the city of Brooklyn, are hereby repealed.

"§ 8. Section nine of title thirteen of said act is hereby amended by adding thereto the following:

"And the chief clerk in the building bureau of the department of fire and buildings shall be known and designated as the superintendent of buildings, and shall have charge, under the direction of the commissioners of said department, of said building bureau, and such matters connected therewith as existing laws relative thereto provide.

"§ 12. Section sixty of title thirteen of said act, as amended by chapter five hundred and eighty-nine of the laws of eighteen hundred and seventy-four, is hereby amended so as to read as follows:

"§ 60. The commissioners of the department of fire and buildings of the city of Brooklyn are hereby authorized and empowered and specially charged with the duties of enforcing the several provisions of this act, in so far as it relates to their department, and are hereby authorized and empowered to receive and collect all license fees herein provided for in their department, and pay the same into the treasury of said city for the use and benefit of the Fireman's Insurance Fund. The attorney and counsel of the city shall, in the name of and for the use and benefit of the Fireman's Insurance Fund, sue for and recover and collect all penalties and costs imposed under the provisions of this act in the manner provided for in actions under the Code of Procedure.

§ 9. Section twenty-four of said title thirteen is hereby amended so as to read as follows:

"24. No building shall be erected, or its erection commenced, or any alteration made in any building already erected, or hereafter to be erected, unless proper plans and specifications shall have been filed in the department of fire and buildings, and a certificate of approval granted therefor. It shall be the duty of the commissioners of said department, without unreasonable delay, to issue such certificate when such plans

and specifications conform to the rules and regulations of said department.

§ 10. Section twenty-six of said title thirteen is hereby amended so as to read as follows:

“§ 26. All foundations shall be started not less than three feet below the surface of the earth and carried up to the first tier of beams, on a good solid bottom, and in case the nature of the earth should require it, a bottom of driven piles or laid timbers of sufficient size shall be laid to prevent the walls from settling; the top of such piles or timber bottom to be driven or laid below the water line, and all piers, columns, posts or pillars shall be started on a bottom in the same manner as foundation walls. The footing or base course under all foundation walls, and under all piers, columns, posts or pillars resting on the earth shall be of stone or concrete where, in the judgment of the commissioners, the nature of the ground or the weight to be sustained may require it, and if under a foundation wall, shall be at least twelve inches wider than the bottom width of the said wall; and if under piers, columns, posts or pillars or truss girder shall be at least twelve inches wider on all sides than the bottom width of such piers, columns, posts or pillars, and not less than twelve inches in thickness; and, if built of stone, the stone thereof shall not be less than two feet by three feet, and shall be at least eight inches in thickness; all base stones shall be well bedded and laid edge to edge; if the walls be built of isolated piers, there must be inverted arches at least twelve inches thick turned under and between the piers, or two footing courses of large stone at least ten inches thick in each course. All foundation walls shall be built of stone or brick, and shall be laid in cement or lime and sand mortar, and, if constructed of stone, shall be at least eight inches thicker than the wall next above them, to a depth of sixteen feet below the curb level, and shall be increased four inches in thickness for every additional five feet in depth below the said sixteen feet; and, if built of brick, shall be at least four inches thicker than the wall next above them, to a depth of sixteen feet below the curb level, and shall be increased four inches in thickness for every additional five feet in depth below the said sixteen feet.

“§ 11. Section fifty-four of said title thirteen is hereby amended to read as follows:

“§ 54. Whenever the commissioners shall officially report to the corporation counsel that any building is being built or altered within the city in violation of any of the provisions of this act, or in such manner that such building would be dangerous and insecure, the said corporation counsel shall forthwith commence an action in the name of the city in any court of record against the owner or builders of any such building, or of the lands and premises upon which such building may be situated, or both, perpetually to restrain such erection or alteration of such building, and for that purpose it shall be the duty of any judge of the court in which such action may be commenced, or of any officer authorized by law to perform the duties of such judge, at chambers, upon satisfactory proof that such certificate has been made by said commissioners to make an injunction order restraining such owners or builders, or both, from the further erection or alteration of such building, until the further order of the court in which said action shall be commenced, and the court by its judgment may grant the relief above mentioned.

“§ 13. Section thirty of title nineteen of said act is hereby amended so as to read as follows:

"§ 30. None of the provisions of any act of the Legislature of this State shall enable or permit any court to vacate or reduce any assessment, in fact or apparent, whether void or voidable, on any property, for any local improvement in the city of Brooklyn, otherwise than to reduce any such assessment to the extent the same may have been in fact increased in dollars or cents, by reason of any fraud or irregularity; and in no event shall that proportion of any such assessment, which is equivalent to the fair value of any actual local improvement, be thereby disturbed.

"§ 14. All acts and parts of acts inconsistent with this act are hereby repealed.

"§ 15. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and act for that purpose passed June 1, 1874."

Mr. Coe moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Ray
Coe	Jacobs	Madden	Selkreg
Cole	Johnson	Middleton	Thompson
Connolly	King	Moore	Woodin
Dow			

17

FOR THE NEGATIVE.

Dickinson	Lowery	Robertson
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3

When the name of Mr. Lowery was called, he asked to be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Lowery subsequently voted in the negative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, as follows:

IN ASSEMBLY, *May* 18, 1875.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Assembly bill entitled "An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water.'"

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. G. Taylor, and by unanimous consent, the same was amended as follows:

Strike out section 2, and add to section 1 the following:

"The common council of said city is hereby authorized, if, in its opinion, it shall be deemed necessary for the completion of the water-works for said city, to direct the issue of the bonds of said city in the manner heretofore prescribed by law at a rate of interest not exceeding seven per cent per annum, payable in not more than thirty years from date thereof; but the amount of such bonds shall not exceed in the aggregate the sum of one hundred and eighty-two thousand dollars, and such bonds

shall not be sold at less than par. The common council of said city is hereby authorized and directed to raise, from time to time, by tax, upon the estates, real and personal, subject to tax in said city, the sum or sums which may be required to pay the interest on the bonds hereby authorized to be issued, and to redeem them at maturity."

And as amended passed, and ordered sent to the Senate for concurrence.

By order,

HIRAM CALKINS, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	Kellogg	Middleton	Wagner
Dow	King	Moore	Wellman
Gross	Lord	Robertson	Woodin
			20

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Robertson
Coe	Jacobs	Madden	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	Kellogg	Moore	Wellman
Dow	King	Ray	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to repeal chapter 479 of the Laws of 1874, entitled 'An act to authorize the construction and use of a railroad in the city of Brooklyn and county of Kings, and the towns of Newtown and Jamaica, in the county of Queens.'"

"An act to authorize towns, cities and villages to pay their bonds, issued for railroad purposes, by exchanging therefor their railroad stock or bonds."

"An act to amend chapter 757 of the Laws of 1873, entitled 'An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 13, 1873.'"

The bill entitled "An act to permit the town officers of the county of Rockland to take the oath of office prescribed by the Constitution," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Robertson
Coe	Jacobs	Lowery	Selkreg
Cole	Johnson	Madden	Thompson
Connelly	Kellogg	Middleton	Wood
Dickinson	King	Moore	Woodin
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to repeal chapter 479 of the Laws of 1874, entitled 'An act to authorize the construction and use of a railroad in the city of Brooklyn and county of Kings, and the towns of Newtown, and Jamaica, in the county of Queens,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Lord	Moore
Coe	Kellogg	Lowery	Ray
Cole	King	Madden	Thompson
Connelly	Laning	Middleton	Wagner
Gross			

17

FOR THE NEGATIVE.

Jacobs

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act supplementary to chapter 332 of the Laws of 1868, passed April 27, 1868, and relating to the Hudson Suspension Bridge and New England Railway Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Thompson
Coe	Jacobs	Ray	Wagner
Connelly	King	Robertson	Wellman
Dickinson	Lord	Selkreg	Woodin
Dow	Lowery		

18

FOR THE NEGATIVE.

Kellogg

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act authorizing the board of engineers of the Fourth avenue improvement to alter their plans for crossings at and between Fifty-first and Fifty-third streets, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Robertson
Coe	Kellogg	Madden	Thompson
Dickinson	King	Middleton	Wagner
Dow	Laning	Moore	Wellman
Gross	Lord	Ray	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the common council of the city of New York to reopen a part of Bloomingdale road or Broadway, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Johnson	Moore	Thompson
Gross	Lord	Ray	Tobey
Jacobs	Madden		

10

FOR THE NEGATIVE.

Cole	Dow	McGowan	Selkreg
Connelly	Kellogg	Middleton	Wellman
Dickinson	Lowery	Robertson	Woodin

12

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the payment of an award due from the city of Brooklyn to the Brooklyn park commissioners, for lands taken from Prospect park for reservoir purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	Lowery	Ray
Cole	Johnson	Madden	Robertson
Dickinson	Kellogg	McGowan	Thompson
Dow	King	Middleton	Wellman
Fox	Lord	Moore	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to establish a board of fire commissioners for the village of West Troy in the county of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	McGowan	Selkreg
Cole	Kellogg	Middleton	Tobey
Connelly	King	Moore	Wagner
Dayton	Lord	Ray	Wellman
Dow	Lowery	Robertson	Woodin
Gross	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the appointment of commissioners to examine the accounts, acts and proceedings of the board of water commissioners of the city of Rochester, for constructing water-works for said city, and also the commissioners appointed to fix upon the site for a city hall and erection of a building, to be used as such, thereon in the city of Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Robertson
Coe	Fox	McGowan	Selkreg
Cole	Jacobs	Middleton	Wagner
Connelly	Johnson	Moore	Wellman
Dayton	King	Ray	Woodin
Dickinson	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 583 of the Laws of 1874, entitled 'An act to lay out and improve a public highway or avenue and concourse in continuation of a public highway or avenue heretofore laid out from Prospect park in the city of Brooklyn, toward Coney Island, in the county of Kings,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lord	Ray
Coe	Gross	Lowery	Robertson
Connelly	Jacobs	McGowan	Selkreg
Dayton	Kellogg	Middleton	Wellman
Dickinson	King	Moore	

19

FOR THE NEGATIVE.

Cole	Johnson
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the county court-house and jail in Queens county," having been announced for a third reading,

On motion of Mr. King, and by unanimous consent, was amended as follows :

Section 3, line 21, engrossed bill, strike out the word "required," and insert in lieu thereof the word "authorized."

Strike out all of section 3, after the word "purpose," in line 30.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Ray
Cole	Jacobs	Madden	Robertson
Connelly	Kellogg	McGowan	Selkreg
Dayton	King	Middleton	Wellman
Dickinson	Laning	Moore	Woodin
Dow	Lord		

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the New York City Sunday School (church extension) and Missionary Society of the Methodist Episcopal Church,' passed April 14, 1866, amended March 14, 1871, again amended May 13, 1872," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dickinson	Laning	Ray
Coe	Fox	Lord	Robertson
Cole	Gross	Lowery	Selkreg
Connelly	Kellogg	Middleton	Thompson
Dayton	King	Moore	Wellman

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to amend chapter 757 of the Laws of 1873, entitled 'An act to amend chapter 335 of the Laws of 1873, entitled An act to reorganize the local government of the city of New York,' passed April 13, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	Moore
Coe	Gross	Lord	Ray
Dayton	Jacobs	Lowery	Robertson
Dickinson	Johnson	McGowan	Wagner
Dow	Kellogg	Middleton	Wellman

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 556 of the Laws

of 1874, entitled 'An act to enable the towns of East Chester and Pelham, in the county of Westchester, to purchase and obtain lands for the improvement of East Chester creek,' having been announced for a third reading,

On motion of Mr. Robertson, and by unanimous consent, said bill was amended by striking out the third section thereof, changing section 4 to section 3, and the following sections to correspond.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Laning	Ray
Cole	Fox	Ledwith	Robertson
Connelly	Jacobs	Lowery	Thompson
Dayton	Kellogg	McGowan	Wagner
Dickinson	King	Middleton	Wellman
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the pay of the officers and members of the fire department of the city of Brooklyn,' chapter 856, Laws of 1873, passed June 28, 1873, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Moore
Coe	Jacobs	Lowery	Ray
Cole	Kellogg	Madden	Robertson
Connelly	King	McGowan	Thompson
Dayton	Laning	Middleton	Wellman
Dow			
			21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses, relative to the bill entitled "An act in relation to the Inebriates' Home for Kings county, and to amend chapter 687 of the Laws of 1872, entitled 'An act to provide means for the support of the Inebriates' Home for Kings county, and the better government thereof,'" having met and duly considered the same, have agreed to recommend that the Assembly concur in the amendments made by the Senate, except that which strikes out all of section 3 after the word "follows," in line 6, and inserts a new section; and, as to that, they have agreed to recommend the adoption of the following as a substitute for the words in said amendment directed to be inserted :

"SECTION 1. The comptroller of the city of Brooklyn shall pay to the treasurer of the Inebriates' Home for Kings county twelve per cent of all moneys hereafter received by him from the excise commissioners of the city of Brooklyn for licenses granted by them under the excise laws of the State, and the boards of commissioners of excise for the county of Kings shall also pay to said Home twelve per cent of all moneys hereafter received for licenses granted by them. Said money shall be paid to said treasurer upon the presentation of a certified copy of a resolution passed by the executive committee of said Inebriates' Home declaring that it is necessary for the care and maintenance of the indigent poor treated in said institution, and as much of said twelve per cent only shall be paid during each year as shall be certified by such resolution to be required for such support over and above the available receipts of such institution from all other sources, after all the legitimate claims in said receipts shall have been discharged. The moneys herein required to be paid shall be so paid by the said comptroller of the city of Brooklyn, and the boards of excise of the county towns of Kings county, within thirty days after the receipt thereof, or as soon after the expiration of said thirty days as the same shall be called for by resolution as aforesaid; and shall, on and after January one, eighteen hundred and seventy-five, be applied to the care and treatment in said Home of such persons, actual residents of the county of Kings, as, in the judgment of the executive committee of said Home, may be poor and in such indigent circumstances as to require relief and support, and be proper subjects for care and treatment therein by reason of habitual drunkenness."

JOHN MCGROARTY,
JACOB HESS,
JOHN H. BURTIS,
JOHN R. KENNADAY,
T. V. P. TALMAGE,

Assembly Committee.

JOHN W. COE,
E. M. MADDEN,
BENJAMIN RAY,
Senate Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	King	Robertson
Coe	Fox	Laning	Thompson
Connelly	Gross	Lord	Wagner
Dayton	Jacobs	McGowan	Wellman
Dickinson	Kellogg	Middleton	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The Assembly bill entitled "An act in relation to taxes on lands sold by the State, and to amend the Revised Statutes in relation thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Laning	Ray
Coe	Gross	Ledwith	Thompson
Cole	Jacobs	Lord	Wagner
Connelly	Johnson	McGowan	Wellman
Dayton	Kellogg	Middleton	Woodin
Dickinson	King		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Johnson moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 435, Laws of 1873, entitled 'An act to amend chapter 733, Laws of 1872, entitled An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" and that the same now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows:

FOR THE AFFIRMATIVE.

Coe	Gross	Laning	Ray
Connelly	Jacobs	Ledwith	Robertson
Dayton	Johnson	Madden	Wagner
Dickinson	Kellogg	McGowan	Wellman
Dow	King	Middleton	Woodin
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to fix the compensation of certain officers in the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Robertson
Cole	Johnson	Madden	Thompson
Connelly	Kellogg	McGowan	Tobey
Dayton	King	Middleton	Wagner
Dow	Ledwith	Moore	Wellman
Fox	Lord	Ray	Woodin
Gross			

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to further amend chapter 306 of the Laws of 1861, entitled 'An act to amend the act passed May 8, 1846, entitled An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	Ray
Coe	Gross	Ledwith	Robertson
Cole	Jacobs	Lord	Thompson
Dayton	Johnson	Lowery	Wagner
Dickinson	Kellogg	Madden	Wellman
Dow	King	Middleton	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the proper drainage of lands within the corporate limits of the city and county of New York,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Ray
Cole	Gross	Lowery	Robertson
Connelly	Jacobs	Madden	Wagner
Dayton	Johnson	McGowan	Wellman
Dickinson	Kellogg	Middleton	Woodin
Dow	King	Moore	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act relating to the repavement of streets, avenues and highways in the city of New York heretofore paved with wood or concrete," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	McGowan
Cole	Gross	Ledwith	Middleton
Dayton	Jacobs	Lord	Moore
Dickinson	Johnson	Lowery	Ray
Dow	Kellogg	Madden	Wellman

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to make further provision for the payment of further expenses of the local government of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Middleton
Cole	Jacobs	Lord	Moore
Connelly	Johnson	Madden	Ray
Dayton	Laning	McGowan	Tobey
Fox			

17

FOR THE NEGATIVE.

Dickinson	Kellogg	Robertson	Wellman
Dow	Lowery		

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release to Susan Grant the right, title and interest of the people of the State of New York, in and to certain real estate in the city of Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Ledwith	Robertson
Coe	Jacobs	Madden	Selkreg
Cole	Johnson	McGowan	Tobey
Connelly	Kellogg	Middleton	Wagner
Dayton	King	Moore	Wellman
Dickinson	Laning	Ray	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act for the preservation of fish in the Niagara river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	Ray
Cole	Gross	Lowery	Robertson
Connelly	Jacobs	Madden	Wagner
Dayton	Kellogg	McGowan	Wellman
Dow	King	Middleton	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Thompson
Coe	Fox	Madden	Tobey
Cole	Jacobs	Middleton	Wagner
Connelly	King	Ray	Wellman
Dickinson	Laning	Robertson	Woodin

20

FOR THE NEGATIVE.

Johnson

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to authorize towns, cities and villages to pay their bonds, issued for railroad purposes, by exchanging therefor their railroad stock or bonds," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Selkreg
Cole	Jacobs	Lowery	Thompson
Connelly	Johnson	McGowan	Wagner
Dayton	Kellogg	Middleton	Wellman
Dickinson	King	Ray	Woodin
Dow			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Selkreg
Coe	Kellogg	Madden	Wagner
Connelly	King	Moore	Wood
Dayton	Laning	Robertson	Woodin
Fox			

17

FOR THE NEGATIVE.

Cole	Dow	Ledwith	McGowan	
Dickinson	Johnson	Lord	Middleton	8

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act relative to the custody of certain records of tax and assessment sales in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	King	Ray	
Cole	Fox	Ledwith	Robertson	
Connelly	Gross	Lord	Thompson	
Dayton	Jacobs	McGowan	Tobey	
Dickinson	Kellogg	Middleton	Wagner	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to require the payment of certain premiums to the fire departments of cities and incorporated villages, by fire insurance companies not organized under the laws of the State of New York, but doing business therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lord	Ray	
Connelly	Kellogg	Lowery	Wagner	
Dickinson	King	Madden	Wellman	
Fox	Laning	McGowan	Woodin	
Gross	Ledwith	Middleton		19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to regulate the price of, and the quality of, gas used in the city of Yonkers, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Kellogg	Robertson	
Cole	Fox	King	Tobey	
Connelly	Gross	Laning	Wagner	
Dayton	Jacobs	Ledwith	Woodin	
Dickinson	Johnson	Lord		19

FOR THE NEGATIVE

Lowery	Madden	McGowan	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release the interest which the State of New York may have acquired to the real estate of which John Smith died seized to his widow, Mary Newman," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Robertson
Cole	Jacobs	Madden	Selkreg
Connelly	Johnson	McGowan	Wagner
Dayton	Kellogg	Middleton	Wellman
Dickinson	King	Ray	Woodin
Dow	Ledwith		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act providing for the disposition of excise moneys in the several towns of Orange county, except the city and town of Newburgh," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Ledwith	Robertson
Coe	Gross	Lowery	Wagner
Cole	Jacobs	Madden	Wellman
Connelly	Johnson	McGowan	Wood
Dickinson	Kellogg	Middleton	Woodin
Dow	King	Ray	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the appointment and employment of a stenographer for the recorder's court of the city of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lord	Robertson
Coe	Fox	Madden	Wagner
Cole	Jacobs	McGowan	Wellman
Connelly	Kellogg	Middleton	Woodin
Dickinson	King	Ray	

19

FOR THE NEGATIVE.

Selkreg		
---------	--	--

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the Port road, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Lowery	Moore	Thompson
Dow	Madden	Ray	Wagner
Kellogg	McGowan	Robertson	Wellman
Ledwith	Middleton	Selkreg	Woodin
Lord			

17

FOR THE NEGATIVE.

Cole	Connelly	Gross	Johnson
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water,' and supplementary thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	King	Middleton	Tobey
Cole	Laning	Ray	Wagner
Dickinson	Ledwith	Robertson	Wellman
Dow	Lord	Selkreg	Wood
Gross	Lowery	Thompson	Woodin
Johnson	McGowan		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act supplementary to chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,' and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dow	Lord	Selkreg
Cole	Gross	McGowan	Thompson
Connelly	King	Middleton	Tobey
Dayton	Laning	Moore	Wagner
Dickinson	Ledwith	Robertson	Wellman

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act relative to the powers of the Buffalo Street Railroad Company and the Buffalo East Side Railroad Company of the city of Buffalo," was read a third time."

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Ledwith	Selkreg
Cole	Gross	McGowan	Tobey
Connelly	Johnson	Middleton	Wagner
Dayton	King	Ray	Wellman
Dickinson	Laning	Robertson	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter of the village of Avon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Laning	Robertson
Cole	Jacobs	Ledwith	Selkreg
Connelly	Johnson	Lowery	Wagner
Dayton	Kellogg	McGowan	Wellman
Dickinson	King	Middleton	Wood
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of fish in the River St. Lawrence,' passed June 12, 1873," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Selkreg
Cole	Gross	McGowan	Tobey
Connelly	Kellogg	Middleton	Wagner
Dayton	Ledwith	Ray	Wellman
Dickinson	Lord	Robertson	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to extend the powers of the village of Wilson in the county of Niagara," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lord	Robertson
Coe	Johnson	Lowery	Selkreg
Cole	Kellogg	Madden	Thompson
Dayton	King	Middleton	Wagner
Dickinson	Laning	Ray	Wellman

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn to Anne Pinkerton, formerly Anne Scott," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Cole	Johnson	McGowan	Tobey
Connelly	Kellogg	Middleton	Wagner
Dayton	King	Ray	Wellman
Dickinson	Ledwith	Robertson	Wood
Dow	Lowery		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to legalize and confirm the official acts and proceedings of Edson Potter, Harvey P. Potter, Benjamin F. Read and William Horton as constables in the town of Colton, county of St. Lawrence," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Selkreg
Cole	Gross	McGowan	Thompson
Connelly	Kellogg	Middleton	Wagner
Dickinson	King	Ray	Wellman
Dow	Laning	Robertson	Wood

29

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The hour of twelve o'clock having arrived, the President announced executive session.

Mr. Laning moved that the executive session be postponed until ten minutes before two o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

'The Assembly bill entitled "An act to amend chapter 408 of the Laws of 1870, entitled 'An act relating to the supreme court, and to the election of a judge of the court of common pleas in and for the city and county of New York,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Selkreg
Cole	Johnson	McGowan	Thompson
Dayton	Kellogg	Middleton	Wagner
Dickinson	King	Parmenter	Wellman
Dow	Laning	Ray	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act relating to armories in the city of New York," was read a third time.

The President put the question whether the Senate would agree to final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Ledwith	Parmenter	Wagner
Cole	Moore	Ray	Wellman
Dayton			9

FOR THE NEGATIVE.

Bradley	Gross	Lord	Selkreg
Connelly	Johnson	Lowery	Tobey
Dickinson	King	McGowan	Woodin
Dow	Laning	Robertson	15

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly bill entitled "An act to repeal chapter 969 of the Laws of 1867, entitled 'An act in relation to the inspection of steam boilers in the State of New York, except in the Metropolitan Police District,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Moore	Thompson
Coe	Laning	Ray	Wagner
Cole	Lord	Robertson	Wellman
Dow	McGowan	Selkreg	Woodin
Johnson			

17

FOR THE NEGATIVE.

Connelly	Gross	Middleton	Tobey
Dayton	Lowery	Parmenter	Wood
Dickinson			

9

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. King moved that the committee on the affairs of cities be discharged from the further consideration of the bill entitled "An act supplementary to, and amendatory of, the several acts relating to the water supply of Long Island City, passed May 18, 1875," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Johnson called for the consideration of the resolution in the words following:

"Whereas, For the past six years a successful armed resistance to Spanish authority on the Island of Cuba has been maintained by a people who have organized and established a government, republican in form, which guarantees to all its citizens freedom in person, in religion, in the right to acquire and enjoy property, and participation in its affairs; and whereas, the Republic of Cuba has not only maintained its position, but persistently lessened the area of Spanish rule, until it is now recognized over less than one-third of the territory of that island; and whereas, the war now being waged on said island is characterized by all the ferocity of semi-barbarism, the consequences of which are prejudicial to the social and commercial interests of the entire people; and whereas, it is apparent that the people represented by the Republic of Cuba possess the ability to drive the Spanish army and the representatives of Spanish authority ultimately to the seaboard towns for their protection, when the civilized world must accord to that republic its independence; and whereas, it is the duty of the government of the United States to always extend its sympathies and, when consistent, its aid to any people struggling to establish a free republican government; therefore, disclaiming any intention or desire to give to this subject any party or political bias,

"Resolved (if the Senate concur), That, in the opinion of this Legislature, the time has arrived when it is the duty of the Government of the United States to take such action as is best calculated to terminate the war now waging in the Island of Cuba, and secure to its people the advantages of a free government.

"Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to pass such measures as will secure to the Republic of Cuba all the rights and privileges belonging to belligerents in this war."

Mr. Robertson moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Cole	King	Selkreg	Wagner
Connelly	Lowery	Thompson	Wellman
Dickinson	Madden	Tobey	Wood
Dow	Robertson		

14

FOR THE NEGATIVE.

Bradley	Johnson	Lord	Parmenter
Dayton	Laning	McGowan	Ray
Gross	Ledwith	Middleton	

11

Mr. Laning called for the consideration of the resolution in the words following :

Resolved (if the Senate concur), That the people of New York, through their representatives in the Legislature, deprecate and condemn the recent interference of the military forces of the United States in the organization of the Legislature of Louisiana as a gross violation of the constitutional rights of that State and an implied menace to the rights of other States.

Resolved (if the Senate concur), That we view with alarm the growing tendency of the general government to subordinate the civil to the military power, in total disregard of all constitutional guarantees and even of the very spirit and essence of republican institutions.

Resolved (if the Senate concur), That we especially condemn the proposition of Lieutenant-General Sheridan and its approval by the Secretary of War, in the name of the administration, to subject citizens to trial by military commission in time of peace.

Mr. Laning moved that the resolutions be adopted.

Mr. Madden moved to lay said resolutions upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Coe	King	Middleton	Tobey
Cole	Lowery	Robertson	Wagner
Connelly	Madden	Selkreg	Wellman
Dickinson	McGowan	Thompson	Wood
Dow			

17

FOR THE NEGATIVE.

Bradley	Johnson	Lord	Parmenter
Dayton	Laning	Moore	Ray
Gross	Ledwith		

10

Mr. Johnson offered the following :

Whereas, For the past six years an armed resistance to Spanish authority in the Island of Cuba, has been maintained by a people who have organized a government, republican in form, which guarantees to all its citizens freedom in person, religion, the right to acquire and enjoy property and equal participation in its affairs ; and,

Whereas, The war now being waged on the Island of Cuba is characterized by all the ferocity of semi-barbarism, the consequences of which are prejudicial to the social and commercial interests of the whole people and offensive to the civilization of this age ; and,

Whereas, The sympathies of the American people are always with those who are endeavoring to secure for themselves and their posterity the advantages of freedom and a free government; and,

Whereas, It is the duty of the government of the United States, when consistent, with its interests, to give expression to the sympathies of the people it represents, and extend such aid to people struggling for liberty as public policy may dictate, therefore, disclaiming any intention or desire to give to this subject any party or political bias, or to cast any reflection or imputation on the past action of our government or any of its public officials,

Resolved (if the Assembly concur), That, in the opinion of this Legislature, the time has arrived when the government of the United States (if consistent with public policy and its interests), should take such action as is best calculated to terminate the war now waging in Cuba, and secure to its people the advantages of a free government.

Resolved (if the Assembly concur), That our Senators and Representatives in Congress be requested, if consistent with public policy, to vote for such measures as will secure to the Republic of Cuba the rights and privileges of belligerents in war.

Ordered, That said resolution be laid upon the table.

The Assembly sent for concurrence a resolution in the words following:

"Resolved (if the Senate concur), That the Governor be and hereby is authorized to confer on any officers of the National Guard of the State of New York below the rank of colonel, who shall have been ten years a member thereof, seven of which shall have been of service as a commissioned officer, a brevet commission corresponding in rank to the grade next above the one actually held by said officer at the time of conferring such brevet commission; such brevet rank shall be honorary and shall not entitle the person holding the same to precedence on command, except by special assignment of commander-in-chief. Recommendations for promotion to such brevet ranks shall be made by the brigadiers-general for the officers of their respective brigades, indorsed by the commandant of their division, except in the case of a separate troop, battery or company attached to a division which shall be made by the division commander."

Ordered, That said resolution be laid upon the table.

Mr. McGowan moved to reconsider the vote by which the following resolution was lost, and that said motion be laid upon the table:

"Resolved (if the Assembly concur), That the Canal Board be authorized to reduce the tolls on pine and hard-wood lumber to the rate of three (3) mills per 1,000 feet per mile."

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. Gross offered the following:

Resolved, That the committee on the affairs of cities be discharged from the further consideration of the bill entitled "An act to amend the charter of the American Institute of the city of New York," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Gross moved that the consideration of said bill be made a special order for half-past one o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Bradley moved to reconsider the vote by which the bill entitled "An act to authorize towns, cities and villages to pay their bonds, issued for railroad purposes, by exchanging therefor their railroad stock or bonds," was passed.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Selkreg
Coe	Gross	Madden	Thompson
Cole	Jacobs	Middleton	Wagner
Connelly	Kellogg	Parmenter	Wellman
Dayton	Laning	Ray	Woodin
Dickinson	Ledwith	Robertson	

23

On motion of Mr. Bradley, and by unanimous consent, said bill was amended as follows :

Amend the title by adding at the end thereof the words "and to exchange their stock of any railroad corporation for the bonds of such corporation."

The President then put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Thompson
Cole	Johnson	Middleton	Tobey
Connelly	Kellogg	Parmenter	Wagner
Dayton	King	Ray	Wellman
Dickinson	Ledwith	Robertson	Wood
Dow	Lord	Selkreg	

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Lowery moved that the Assembly bill entitled "An act for the improvement of the navigation of the Hudson river and to make an appropriation therefor," be recommitted to the committee on finance, retaining place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Wellman moved that the Assembly bill entitled "An act to authorize the confinement of convicts in the county penitentiaries of this State," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

By unanimous consent Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend section 14, title 3, of chapter 7,

part 3, of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bradley, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Madden	Ray
Coe	Johnson	McGowan	Robertson
Cole	Kellogg	Middleton	Thompson
Connelly	Laning	Moore	Wagner
Dickinson	Ledwith	Parmenter	Wellman
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent Mr. Ledwith asked and obtained leave to introduce a bill entitled "An act to provide for change of the name of the Ninth Ward Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ledwith, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Parmenter	Tobey
Cole	Ledwith	Ray	Wagner
Dickinson	Lord	Robertson	Wellman
Dow	Middleton	Selkreg	Wood
Johnson	Moore	Thompson	
			19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to authorize the confinement of convicts in the county penitentiaries of this State."

"An act in relation to the police department in the city of New York."

"An act to amend chapter 253 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company.'"

After some time spent therein the President resumed the chair, and Mr. Parmenter from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Parmenter, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered to a third reading.

Mr. Parmenter, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Wood moved that the committee on cities be discharged from the further consideration of the Assembly bill entitled "An act to incorporate the Electro-Medical College of the State of New York, in the city of New York," and that the same be referred to the committee on public health.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the following entitled Assembly bill, with a message that they had agreed to the report of the committee of conference thereon :

"An act to regulate pilotage for the port of New York."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly bill entitled "An act to authorize the erection of a city hall in and for Long Island City, and to provide for the expenses of the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Connelly	Gross	Moore	Tobey	
Dayton	Jacobs	Parmenter	Wagner	
Fox	Ledwith	Ray		11

FOR THE NEGATIVE.

Cole	Kellogg	McGowan	Wellman	
Dickinson	King	Middleton	Wood	
Dow	Lord	Robertson	Woodin	
Johnson	Lowery	Selkreg		15

Mr. Jacobs moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Dayton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act supplementary to an act in relation to a public park in the city of Albany,' passed April 23, 1870, and the act in relation to Washington park of the city of Albany, passed March 11, 1873," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Dayton, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Dayton	King	Middleton	Thompson	
Dickinson	Laning	Parmenter	Wagner	
Dow	Ledwith	Ray	Wellman	
Gross	Lord	Robertson	Wood	
Kellogg	Madden	Selkreg	Woodin	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Lowery, from the committee on finance, to which was referred the Assembly bill entitled "An act for the improvement of the navigation of the Hudson river and to make appropriation therefor," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Laning moved to reconsider the vote by which the Assembly bill entitled "An act for the preservation of fish in the Niagara river," was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Ray
Coe	Jacobs	Lowery	Robertson
Cole	Johnson	Madden	Selkreg
Dayton	Kellogg	McGowan	Wagner
Dickinson	King	Middleton	Woodin
Dow	Laning		

22

On motion of Mr. Laning, and by unanimous consent, said bill was amended as follows :

Section 1, insert, at the end of line 8, the words "nor in the waters of Lake Erie from the said International Bridge up to the line between the counties of Erie and Chautauqua."

Amend the title by adding at the end thereof the words "and in the waters of Lake Erie adjacent to the county of Erie."

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Selkreg
Coe	Johnson	Middleton	Thompson
Cole	Kellogg	Moore	Wellman
Connelly	Laning	Parmenter	Wood
Dayton	Ledwith	Robertson	Woodin
Dickinson	Lord		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The hour of half-past one o'clock having arrived, the Senate proceeded to the consideration of the special order, being the motion of Mr. Gross to discharge the committee on the affairs of cities from the further consideration of the bill entitled "An act to amend the charter of the American Institute of the city of New York," and that the same be ordered to a third reading.

After debate,

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lord	Moore
Dayton	Johnson	Lowery	Parmenter
Dickinson	King	McGowan	Ray
Dow	Laning	Middleton	Thompson
Gross	Ledwith		

18

FOR THE NEGATIVE.

Cole	Madden	Tobey	Wood
Connelly	Robertson	Wagner	Woodin
Kellogg	Selkreg	Wellman	

11

Mr. Gross moved to reconsider the vote by which the Senate disagreed to said motion.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gross called for a division of the question.

The President put the question whether the Senate would agree to that portion of said motion relative to the discharging of the committee on the affairs of cities from the further consideration of said bill, and it was decided in the affirmative.

Mr. Dickinson moved that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session; and, after some time spent therein, the doors were opened and legislative business resumed.

The Assembly sent for concurrence the bill entitled as follows:

"An act to provide ways and means for the support of government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Robertson moved that all orders of business be suspended down to the reports of standing committees.

Pending which,

Mr. Johnson moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cole	Dickinson	Johnson
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3

FOR THE NEGATIVE.

Bradley	Ledwith	Middleton	Thompson
Connelly	Lord	Moore	Tobey
Dow	Lowery	Parmenter	Wagner
King	Madden	Ray	Wellman
Laning	McGowan	Robertson	Woodin

20

Mr. Madden moved that the Senate take a recess until half-past seven o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	McGowan	Parmenter	
Connelly	Laning	Middleton	Selkreg	
Dickinson	Madden	Moore	Wagner	12

FOR THE NEGATIVE.

Dow	King	Robertson	Wellman	
Gross	Lowery	Thompson	Wood	
Kellogg	Ray	Tobey	Woodin	12

The President voted in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Robertson, and it was decided in the affirmative.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act for the better regulation of railroad companies, and the election of the officers of the same," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Selkreg, from the committee on railroads, to which was referred the Assembly bill entitled "An act further to provide for the construction and operation of a steam railway or railways in the counties of the State," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson moved that said bill be made a special order for this evening at eight o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Dayton	Lowery	Ray	Tobey	
Dow	McGowan	Robertson	Wellman	
King	Middleton	Thompson	Wood	
Laning	Parmenter			14

FOR THE NEGATIVE.

Bradley	Gross	Ledwith	Selkreg	
Coe	Johnson	Madden	Wagner	
Connelly	Kellogg	Moore	Woodin	
Dickinson				13

On motion of Mr. Madden, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Robertson moved that the Assembly bill entitled "An act to provide for the construction and operation of a steam railway or railways in the counties of the State," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to legalize the acts of the acts of the several boards of health in the towns of Kings county and in the towns of Newtown, Flushing and Jamaica, in the county of Queens."

"An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor."

"An act further to provide for the construction and operation of a steam railway or railways in counties of the State."

After some time spent therein the President resumed the chair, and Mr. Jacobs, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Jacobs, from the same committee, reported in favor of the passage of the second named bill, with amendments, and the title amended by inserting after the words "Hudson river," the words "and Catskill creek," which report was agreed to, and said bill ordered to a third reading.

Mr. Jacobs, from the same committee, reported in favor of the passage of the last named bill, with amendments, and the title amended by striking out the words "the State," and inserting in lieu thereof the words "New York and Westchester," which report was agreed to, and said bill ordered to a third reading.

The Assembly returned the following entitled Assembly bill, with a message that they had concurred in the amendments of the Senate thereto :

"An act to amend an act entitled 'An act to re-enact and amend an act entitled 'An act to provide for the annexation of the towns of Morrisania, West Farms, and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 6, 1874."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bill, with a message that they had agreed to the report of the committee of conference thereon :

"An act to authorize the construction of work upon the canals of this State."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bill :

An act in relation to the county treasurers of the counties of Monroe and Seneca."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act supplementary to chapter 382 of the Laws of 1868, passed April 27, 1868, relating to the Hudson Highland Suspension Bridge Company, and of the several acts amendatory thereof."

"An act in relation to the expenses of contested seats in the Legislature of this State."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto :

"An act to amend chapter 435, Laws of 1873, entitled 'An act to amend chapter 733, Laws of 1872,' entitled 'An act to amend chapter 721 of the Laws of 1871,' entitled 'An act to amend and consolidate the

several acts relating to the preservation of moose, wild deer, birds and fish.' ”

“An act to amend chapter 583 of the Laws of 1874, entitled ‘An act to lay out and improve a public highway or avenue and concourse in continuation of a public highway or avenue heretofore laid out from Prospect park, in the city of Brooklyn, toward Coney Island, in the county of Kings.’ ”

“An act to provide for the payment of an award due from the city of Brooklyn to the Brooklyn Park Commissioners for lands taken from Prospect park for reservoir purposes.”

“An act relative to the powers of the Buffalo Street Railroad Company and the Buffalo East Side Railroad Company of the city of Buffalo.”

“An act to amend an act entitled ‘An act in relation to the pay of the officers and members of the fire department of the city of Brooklyn,’ chapter 856, Laws of 1873, passed June 28, 1873.”

“An act to amend an act entitled ‘An act to provide for the proper drainage of lands within the corporate limits of the city and county of New York.’ ”

“An act appointing commissioners to examine the accounts, acts and proceedings of the board of water commissioners of the city of Rochester, for constructing water-works for said city, and also the commissioners appointed to fix upon the site for a city hall and erection of a building, to be used as such, thereon in the city of Rochester.”

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Kellogg, and by unanimous consent, the committee of the whole were discharged from the further consideration of the of the Assembly bill entitled “An act to amend section 20 of chapter 721 of the Laws of 1871, entitled ‘An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,’ ” and that the same was ordered to a third reading.

On motion of M. Kellogg, and by unanimous consent, the committee of the whole were discharged from the further consideration of the Assembly bill entitled “An act to amend chapter 721 of the Laws of 1871, entitled ‘An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,’ ” and the same was ordered to a third reading.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled “An act for the improvement of Myrtle avenue in the city of Brooklyn,” reported in favor of the passage of the same, with amendments (Messrs. Jacobs and Dickinson dissenting), and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled “An act to provide for the improvement of portions of commercial street and Union place in the city of Brooklyn,” reported in favor of the passage of the same, with amendments, and the title amended so as to read “An act to provide for the improvement of portions of Commercial street, Union place and Prospect place in the city of Brooklyn,” and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled “An act to increase the powers of the common council of the city of Brooklyn,” reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. McGowan asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McGowan, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Kellogg	Lowery	Thompson
Connelly	King	Madden	Tobey
Dickinson	Laning	Ray	Wagner
Dow	Ledwith	Robertson	Wellman
Johnson	Lord	Selkreg	Woodin
			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Coe, from the committee on public health, to which was referred the Assembly bill entitled "An act to incorporate the Electro-Medical College of the State of New York, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Coe, and by unanimous consent, the committee of the whole were discharged from the further consideration of said bill, and the same ordered to a third reading.

On motion of Mr. Madden, the Senate adjourned.

THURSDAY, MAY 20, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Dow, the reading of the journal of yesterday was dispensed with.

The Assembly sent for concurrence the bills entitled as follows :

"An act to provide for the improvement of Thirty-ninth street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Jacobs, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

"An act to authorize the board of trustees of the village of Port Jervis, in the county of Orange, to hold a special election for the purpose of voting to raise moneys by tax for the year 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to confirm and legalize certain acts of the common council of the city of Elmira," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bradley, and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

The Assembly returned the concurrent resolution amending certain resolutions providing for the improvement of the Kill von Kull, and known as Assembly Document No. 29, with a message that they had concurred in the passage of the same.

The Assembly returned the Assembly bill entitled "An act relating to the repavement of streets, avenues and highways in the city of New York heretofore paved with wood or concrete," with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and had appointed as such committee on their part, Messrs. Daly, Kirk, Seward, Dessar and Husted.

Mr. Fox moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Fox, Woodin and Coe.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

The Assembly returned the bill entitled "An act for the preservation of fish in the Niagara river," with a message that they do non-concur in the amendments of the Senate thereto, and request a committee of conference, and have appointed as such committee on their part Messrs. Ransom, Edson, Hanrahan, Lawson and Bordwell.

Mr. Laning moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Laning, Johnson, and Robertson.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

Mr. Woodin offered the following :

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of Assembly bill entitled "An act to authorize the common council of the city of New York to reopen a part of Bloomingdale road or Broadway, in the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly.

On motion of Mr. Kellogg, and by unanimous consent, the committee of the whole were discharged from the further consideration of the Assembly bill entitled "An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871,' entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" and the same was ordered to a third reading.

Mr. Wood, from the committee on finance, to which was referred, by resolution, the matter of the expenditures of the New Capitol Commissioners, presented a report thereon in writing, together with the testi-

mony taken in the case; which was laid upon the table and ordered printed.

(See Doc. No. 95.)

By unanimous consent Mr. Laning asked and obtained leave to introduce a bill entitled "An act in relation to the prepayment of the fees of sheriffs upon execution," which was read the first time and by unanimous consent was also read the second time.

On motion of Mr. Laning, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Selkreg
Coe	Jacobs	McGowan	Thompson
Cole	Johnson	Moore	Wagner
Connelly	King	Ray	Wellman
Dayton	Laning	Robertson	Woodin
Dickinson			

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Woodin asked and obtained leave to introduce a bill entitled "An act to provide for the completion and publication of the map of the Adirondack Survey," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Woodin, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Thompson
Coe	Gross	Madden	Tobey
Cole	Jacobs	McGowan	Wagner
Connelly	King	Parmenter	Wellman
Dayton	Ledwith	Robertson	Woodin
Dickinson	Lord	Selkreg	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to legalize the acts of the several boards of health in the towns of Kings county and in the towns of Newtown, Flushing and Jamaica, in the county of Queens," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Coe	Kellogg	Moore	Thompson
Cole	King	Parmenter	Tobey
Connelly	Laning	Ray	Wagner
Dayton	Ledwith	Robertson	Wellman
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Ray
Coe	Kellogg	Madden	Selkreg
Cole	King	McGowan	Thompson
Dayton	Laning	Moore	Wagner
Dickinson	Ledwith	Parmenter	Wellman

20

FOR THE NEGATIVE.

Tobey

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend section 20 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Thompson
Cole	Johnson	McGowan	Tobey
Connelly	Kellogg	Parmenter	Wagner
Dayton	King	Ray	Wellman
Dow	Laning	Robertson	Woodin
Fox	Ledwith	Selkreg	

23

FOR THE NEGATIVE.

Lord

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Tobey moved to reconsider the vote by which the Assembly bill entitled "An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures,'" was lost.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dayton	McGowan	Tobey	
Coe	Kellogg	Robertson	Wagner	
Cole	King	Selkreg	Wellman	
Connelly	Ledwith	Thompson	Woodin	16

FOR THE NEGATIVE.

Dow	Lord	Lowery	Middleton	
Laning				5

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Thompson	
Coe	Gross	McGowan	Tobey	
Connelly	Jacobs	Robertson	Wagner	
Dayton	King	Selkreg	Wood	
Dickinson	Ledwith			18

FOR THE NEGATIVE.

Cole	Kellogg	Lowery	Ray	
Dow	Laning	Middleton	Wellman	
Johnson	Lord	Parmenter	Woodin	12

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act for the improvement of the navigation of the Hudson river and Catskill creek, and to make an appropriation therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	McGowan	Selkreg	
Connelly	Johnson	Moore	Thompson	
Dayton	Laning	Parmenter	Tobey	
Fox	Lowery	Ray	Wagner	
Gross	Madden	Robertson	Wellman	20

FOR THE NEGATIVE.

Dickinson	Dow	Middleton		3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Electro-Medical College of the State of New York, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Gross	Madden	Robertson
Connelly	Jacobs	McGowan	Selkreg
Dayton	Kellogg	Middleton	Thompson
Dickinson	King	Parmenter	Wagner
Dow	Lowery	Ray	Wellman
Fox			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act supplementary to and amendatory of the several acts relating to the water supply of Long Island City," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	King	Ray
Coe	Fox	Laning	Robertson
Cole	Gross	Ledwith	Selkreg
Connelly	Jacobs	Madden	Thompson
Dayton	Johnson	Parmenter	Wellman
Dickinson			

21

FOR THE NEGATIVE.

Kellogg

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Fox moved to reconsider the vote by which the Assembly bill entitled "An act relating to armories in the city of New York," was lost.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was passed, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Gross	Madden	Wagner
Dayton	Jacobs	Moore	Wellman
Dickinson	Kellogg	Parmenter	Woodin
Fox	Ledwith	Ray	

15

FOR THE NEGATIVE.

Dow

1

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Middleton	Selkreg
Coe	Johnson	Moore	Tobey
Dayton	Kellogg	Parmenter	Wagner
Fox	Ledwith	Ray	Wellman
Gross	Madden		

18

FOR THE NEGATIVE.

Dickinson	Lowery	Robertson	Woodin
Dow			

5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The bill entitled "An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York or Raritan bay, within the jurisdiction of the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Thompson
Cole	Johnson	Madden	Tobey
Connelly	Kellogg	Parmenter	Wagner
Dayton	Laning	Ray	Wellman
Dow	Ledwith	Robertson	Woodin
Fox	Lord	Selkreg	

23

FOR THE NEGATIVE

Dickinson	Gross
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Thompson, from the committee on internal affairs, to which was recommitted the Assembly bill entitled "An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly returned, pursuant to request, the Assembly bill entitled "An act authorizing the common council of the city of New York to reopen a part of Bloomingdale road or Broadway, in the city of New York."

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly bill entitled "An act to prevent the commission of frauds in the purchase and sale of real estate in the counties of New York and Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Parmenter
Fox	Lord	Moore	Ray
Jacobs			

9

FOR THE NEGATIVE.

Cole	Kellogg	McGowan	Tobey
Dickinson	King	Middleton	Wellman
Dow	Laning	Robertson	Wood
Gross	Lowery	Selkreg	Woodin

16

When the name of Mr. Laning was called, he asked to be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Laning subsequently voted in the negative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the police department in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Thompson
Coe	Gross	Middleton	Tobey
Cole	Kellogg	Moore	Wellman
Connelly	King	Parmenter	Wood
Dickinson	Laning	Robertson	Woodin
Dow	Lord		

22

FOR THE NEGATIVE.

Ledwith	Lowery	McGowan
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the confinement of convicts in the county penitentiaries of this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Parmenter
Coe	Johnson	Madden	Robertson
Dickinson	Kellogg	McGowan	Thompson
Dow	Laning	Middleton	Tobey
Fox	Ledwith	Moore	Wellman
Gross	Lord		

. 22

FOR THE NEGATIVE.

King	Ray	Wood	Woodin	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act further to provide for the construction and operation of a steam railway or railways in counties of the State," having been announced for a third reading,

Mr. Jacobs moved that said bill be recommitted to the committee on railroads, with instructions to amend the same by restoring the first section thereof as originally reported from the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Selkreg
Coe	Gross	McGowan	Tobey
Dayton	Jacobs	Parmenter	Wellman
Dow	Ledwith	Robertson	Woodin

16

FOR THE NEGATIVE.

Cole	Kellogg	Madden	Ray
Connelly	King	Middleton	Thompson
Dickinson	Lord	Moore	Wagner
Johnson			

13

Mr. Selkreg, from the committee on railroads, to which was recommended the said bill, reported that the committee have made the amendment thereto, as instructed, and have directed their chairman to report the same to the Senate.

Mr. Madden moved that said bill be recommitted to the committee on railroads with instructions to amend the same by striking out that portion which except the city of Buffalo from the provisions of said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cole	McGowan	Thompson	Woodin
Ledwith	Parmenter		

6

FOR THE NEGATIVE.

Bradley	Gross	Lord	Robertson
Coe	Jacobs	Lowery	Selkreg
Connelly	Johnson	Madden	Tobey
Dayton	Kellogg	Middleton	Wagner
Dickinson	King	Moore	Wellman
Dow	Laning	Ray	Wood
Fox			

25

Mr. Lord moved that said bill be recommitted to the committee on railroads, with instructions to except from the provisions of said bill the counties of Monroe, Orange, Sullivan, Suffolk, Queens, Richmond, Niagara, Orleans, Genesee, Jefferson, Lewis, St. Lawrence, Franklin, Ontario, Yates and Seneca.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cole	Johnson	Lowery	Middleton	
Connelly	King	Madden	Moore	
Dickinson	Lord	McGowan	Ray	12

FOR THE NEGATIVE.

Bradley	Gross	Robertson	Wagner	
Dayton	Jacobs	Selkreg	Wellman	
Dow	Laning	Thompson	Woodin	
Fox	Parmenter	Tobey		15

On motion of Mr. Johnson, and by unanimous consent, said bill was amended as follows:

Section 36, line , insert the words " which shall be approved by the company making the application."

Mr. Laning moved that said bill be recommitted to the committee on railroads, with instructions to amend by adding at the end of section 40, the following :

" None of the provisions of this act shall apply to any railroad company organized under any general or special law of this State whose railroad shall have been partially or wholly constructed, nor to the operation or management of any railroad heretofore constructed and in operation.

Mr. McGowan moved to amend by striking out the words " whose railroads shall have been partially or wholly constructed."

Pending the motion of Mr. McGowan to amend,

On motion of Mr. Ledwith, the Senate took a recess until half-past seven o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Tobey, from the committee on insurance, to which was referred the bill entitled "An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Dickinson, from the committee on the affairs of villages, to which was referred the Assembly bill entitled "An act to authorize the board of trustees of the village of Port Jervis, in the county of Orange, to hold a special election for the purpose of voting to raise moneys by tax for the year 1875," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Woodin, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874."

Mr. Lowery, from the committee on banks, to which was referred the Senate bill entitled "An act to incorporate the Irish-American Savings Bank of the city of New York," reported adversely thereto, which report was agreed to, and said bill rejected.

The Senate then resumed the consideration of the bill entitled "An act further to provide for the construction and operation of a steam railway or railways in the counties of the State."

The President stated the question to be upon the motion of Mr. McGowan to amend the motion of Mr. Laning.

The President then put the question whether the Senate would agree to said motion of Mr. McGowan, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Parmenter
Coe	Ledwith	McGowan	Ray
Connelly	Lord	Middleton	Thompson
Dayton	Lowery	Moore	Wood
Dickinson			

17

FOR THE NEGATIVE.

Dow	Jacobs	Selkreg	Wagner
Fox	Laning	Tobey	Woodin
Gross	Robertson		

10

Mr. Woodin moved to reconsider the vote by which said motion was agreed to.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Connelly	Jacobs	Middleton	Wagner
Dow	Laning	Robertson	Wood
Fox	Ledwith	Selkreg	Woodin
Gross	Lowery	Tobey	

15

FOR THE NEGATIVE.

Bradley	Dickinson	Madden	Parmenter
Coe	Johnson	McGowan	Ray
Cole	King	Moore	Wellman
Dayton	Lord		

14

Mr. McGowan then withdrew his amendment, and offered the following in lieu thereof:

Add the words "nor to any railroad company organized to construct a railroad outside the city of New York."

The President put the question whether the Senate would agree to said amendment, and it was decided in the affirmative.

Mr. Laning moved to further amend, so as to read as follows:

"None of the provisions of this act, except as to elevated railways, shall apply to any railroad company organized under any general or

special law of this State (whose railroad shall have been partially or wholly constructed) nor to the operation or management of any railroad heretofore constructed, nor to any railroad company organized to construct a railroad outside the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Wagner
Dayton	Kellogg	Middleton	Wellman
Dickinson	Laning	Robertson	Wood
Dow	Ledwith	Selkreg	Woodin
Fpx	Lowery	Tobey	
			19

FOR THE NEGATIVE.

Coe	Johnson	Madden	Parmenter
Cole	King	Moore	Ray
Gross	Lord		
			10

The President then put the question whether the Senate would agree to said motion of Mr. Laning to recommit said bill to the committee on railroads, with instructions to amend, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Connelly	Laning	Middleton	Wagner
Dayton	Ledwith	Robertson	Wellman
Dickinson	Lowery	Selkreg	Wood
Dow	McGowan	Tobey	Woodin
Gross			
			17

FOR THE NEGATIVE.

Bradley	Jacobs	Lord	Parmenter
Coe	Johnson	Madden	Ray
Cole	King	Moore	
			11

Mr. Selkreg, from the committee on railroads, to which was recommended the said bill, reported that the committee have made the amendments thereto, as instructed, and have directed their chairman to report the same to the Senate.

Mr. Madden moved that said bill be recommitted to the committee on railroads, with instructions to amend as follows :

Add, at end of section 36, the following: "And provided that none of the provisions of this act shall be construed to alter, change, abridge or impair any right acquired under or by virtue of any law of this State at any time in force prior to the passage of this act. Nor shall it be lawful to construct any surface railroad in any street where one is in operation at the time of the passage of this act or heretofore authorized to be built under or by virtue of any law of this State under which grant or right was authorized."

Mr. Gross called for a division of the question.

The President put the question whether the Senate would agree to that portion of said motion which reads "and provided that none of the provisions of this act shall be construed to alter, change, abridge, impair any right acquired under or by virtue of any law of this State at any time in force prior to the passage of this act," and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dickinson	King	Moore	
Coe	Fox	Ledwith	Parmenter	
Cole	Gross	Lord	Ray	
Dayton	Johnson	Madden	Woodin	16

FOR THE NEGATIVE.

Connelly	Lowery	Robertson	Wagner	
Dow	McGowan	Selkreg	Wellman	
Jacobs	Middleton	Tobey	Wood	
Laning				13

The President then put the question whether the Senate would agree to the remaining portion of said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cole	Madden	Ray	Wagner	
Lord				5

FOR THE NEGATIVE.

Bradley	Fox	Lowery	Robertson	
Coe	Gross	McGowan	Selkreg	
Connelly	Jacobs	Middleton	Tobey	
Dayton	King	Moore	Wellman	
Dickinson	Ledwith	Parmenter	Wood	
Dow				21

Mr. Selkreg, from the committee on railroads, to which was recommended said bill, reported that they have made the amendments thereto, as instructed, and have directed their chairman to report the same to the Senate.

On motion of Mr. Jacobs, and by unanimous consent, said bill was amended as follows :

"It shall not be lawful for any company organized under the provisions of this act, or under any other act heretofore passed, to construct a railway upon St. Nicholas avenue, in the city of New York, or those streets or avenues in said city commonly known as Boulevards, except to cross the same, under such regulations as shall be imposed by the commissioners ; provided for by this act. And every such company shall be bound by the restrictions and limitations as to route and as to its mode of construction which shall be established by the commissioners appointed under the act from which its powers were derived, as far as such restrictions and limitations are consistent with the provisions of this act."

On motion of Mr. Jacobs, and by unanimous consent, said bill was amended by striking out the amendments to the title made in the committee of the whole, as follows :

Strike out the words "of the State," and insert in lieu thereof the words "New York and Westchester."

Mr. Gross moved that said bill be recommitted to the committee on railroads, with instructions to strike out the words "and except such portions of streets and avenues as are already legally designated or."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Jacobs	Moore	4
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FOR THE NEGATIVE.

Coe	King	McGowan	Selkreg	
Cole	Ledwith	Middleton	Tobey	
Connelly	Lord	Parmenter	Wagner	
Dayton	Lowery	Ray	Wellman	
Dow	Madden	Robertson	Woodin	20

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	McGowan	Wagner	
Counelly	Jacobs	Parmenter	Wellman	
Dayton	Kellogg	Robertson	Wood	
Dickinson	Ledwith	Selkreg	Woodin	
Dow	Lowery	Tobey		19

FOR THE NEGATIVE.

Coe	King	Madden	Moore	
Gross	Lord	Middleton	Ray	
Johnson				9

When the name of Mr. Lord was called, Mr. Ray moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The committee of conference of the Senate and Assembly on the disagreeing votes of the two Houses on the bill of the Assembly printed No. 47, entitled "An act for the appointment of railroad commissioners in the several counties of the State," having met, have, after full and free conference, agreed, and recommend to their respective Houses as follows:

That the Assembly recede from its disagreement to the first amendment of the Senate and agree to the same, amended as follows: Insert, after the word "State," in line 2, of section 1, the words "except in the towns of Middlefield, Otsego and Cherry Valley, in the county of Otsego;" also strike out the word "five," and insert in lieu thereof the word "three," in line 6, of the same section, and that the Senate agree to the same, as thus amended.

That the Assembly agree to the amendments of the Senate to the said bill, amended by the addition of a new section, as follows:

"§ 3. The commissioners appointed under this act shall, before entering upon their duties, and within ten days after notice of their appointment, execute to the people of the State a bond with two sureties to be approved by the supervisor of the town and the justices of the peace of

said town, or a majority thereof, the supervisor being present, with their indorsement thereon, and filed in the town clerk's office of said town, in the penal sum of double the amount of all moneys and securities coming into their hands, and conditioned that they will faithfully discharge their duties as such commissioners, and within ten days after the expiration of their terms of office, pay over to their successors what money and securities may be remaining in their hands as such commissioners, and render to such successors a true account of all moneys and securities received and paid out as such commissioners. All commissioners holding office under any former act or acts are hereby required to execute bonds of like character, and approved in the same manner, within sixty days after the passage of this act, and that the Senat agree to the amendments, as thus amended.

A. C. MCGOWAN,
JACOB A. GROSS,
F. W. TOBEY,
Senate Committee.

WILLIAM H. ELY,
D. M. HOLMES,
JOHN M. ROSCOE,
L. BRADFORD PRINCE,
C. P. VEDDER,
Assembly Committee.

On motion of Mr. Woodin, said report was laid upon the table.

Mr. Selkerg, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend chapter 585 of the Laws of 1874, entitled 'An act to incorporate the Brooklyn Elevated Silent Safety Railway for the purposes of providing rapid transit through the city of Brooklyn, Kings county, to Woodhaven, in the town of Jamaica, in the county of Queens, and the State of New York, and to provide for constructing and operating a railway therefor,' passed May 26, 1874," reported the same to the Senate for their consideration, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the practice and proceedings of the courts of this State,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the New York Cheap Transportation Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relative to judgments entered upon forfeited recognizances in the city and county of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm the proceedings of supervisors and justices of the peace of the several towns, in the county of Kings, relating to town sealers," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the recording of certain decrees in partitions suits in the clerk's office of certain coun-

ties of this State, and for the alphabetical indexing of the names of the grantors and grantees of deeds, mortgages, and other instruments recorded and to be recorded in clerks' offices," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confer upon the trustees of the incorporated villages of this State power to restrain and regulate the construction of wooden buildings, and to cause the removal or repair of unsafe walls, chimneys, and other structures," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Great Council of the Improved Order of Red Men of the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act regulating the erection and maintenance of fire escapes upon certain buildings and for the better security of life in case of fire," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons as experts," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly returned the resolution to print 1,000 copies of the Report of the Commissioners of Fisheries for the use of the Commissioners, with a message that they had concurred in the passage of the same, with the following amendment:

Add, at the end thereof, the words "and 1,000 copies for the use of the Legislature."

The President put the question whether the Senate would agree to said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Connelly	King	Parmenter	Selkreg	
Dayton	Laning	Ray	Thompson	
Jacobs	Ledwith	Robertson		11

FOR THE NEGATIVE.

Bradley	Dow	Lord	Wagner	
Dickinson	Johnson	Lowery	Wellman	8

Mr. Ray moved to reconsider the vote by which said resolution was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to permit the town officers of the county of Rockland to take the oath of office prescribed by the Constitution."

"An act to amend chapter 757 of the Laws of 1873, entitled 'An act to amend chapter 335 of the Laws of 1873,' entitled 'An act to reorganize the local government of the city of New York,' passed April 13, 1873."

"An act to repeal chapter 479 of the Laws of 1874, entitled 'An act to authorize the construction and use of a railroad in the city of Brooklyn, and county of Kings, and the towns of Newtown and Jamaica, in the county of Kings.'"

"An act further to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812."

"An act to amend an act entitled 'An act to amend an act entitled An act to incorporate the village of Mohawk,' passed April 17, 1861."

"An act in relation to the county court-house and jail in Queens county."

"An act to amend an act entitled 'An act supplementary to an act in relation to a public park in the city of Albany,' passed April 23, 1870, and the act in relation to Washington park of the city of Albany, passed March 11, 1873."

"An act to amend section 14 of title 3 of chapter 7 of part 3 of the Revised Statutes."

"An act in relation to the prepayment of fees of sheriffs upon executions."

"An act to provide for the completion and publication of the map of the Adirondack Survey."

"An act to authorize towns, cities and villages to pay their bonds issued for railroad purposes by exchanging therefor their railroad stock or bonds, and exchange their stock of and railroad corporation for the bonds of such corporation."

"An act to provide for the change of the name of the Ninth Ward Bank of the city of New York."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence the following resolution :

Resolved (if the Senate concur), That 2,500 copies of the Governor's Message on the affairs of cities, recently communicated to the Legislature, be printed; one-half for the use of the Executive, and the remainder for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly returned the following entitled Assembly bill, with a message that they had agreed to the report of the committee of conference thereon :

"An act in relation to the Inebriates' Home for Kings county, and to amend chapter 687 of the Laws of 1872, entitled 'An act to provide means for the support of the Inebriates' Home for Kings county, and the better government thereof.'"

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled Assembly bills, with a message that they have concurred in the amendments of the Senate thereto, respectively :

"An act to establish a board of fire commissioners for the village of West Troy, in the county of Albany."

"An act to amend section 1 of chapter 702 of the Laws of 1872, entitled 'An act to improve and regulate the use of the Fourth avenue, in the city of New York.'"

"An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864."

"An act to legalize the acts of the several boards of health in the towns of Kings county, and in the towns of Newtown, Flushing, and Jamaica, in the county of Queens."

Ordered, That the Clerk return said bills to the Assembly.

On motion of Mr. Madden, the Senate adjourned.

FRIDAY, MAY 21, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Woodin, the reading of the journal of yesterday was dispensed with.

Mr. Woodin called for the consideration of the resolution in the words following:

Resolved (if the Senate concur), That the Senate and Assembly will adjourn *sine die* on Friday, the 23d inst., at twelve o'clock noon.

Mr. Woodin moved to amend by striking out the words "Friday, the 23d inst.," and inserting the words "Saturday, May 22d."

Mr. Gross moved to amend by inserting the words "to-day, at six o'clock, P. M."

The President put the question whether the Senate would agree to said motion of Mr. Gross, and it was decided in the negative.

The President then put the question whether the Senate would agree said motion of Mr. Woodin, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

Mr. King, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to authorize the Board of Commissioners of Emigration to mortgage the lands of the State on Ward's Island, and to extinguish the liabilities against the said board," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented the Report of the State Engineer and Surveyor in answer to a resolution of the Senate, passed March 23, 1874, in relation to doubling locks upon the western division of the Erie canal; which was laid on the table and ordered printed.

(See Doc. No. 9)

The Assembly sent for concurrence the bill entitled as follows:

"An act authorizing the payment of William A. Dunn for services as doorkeeper of the Assembly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The Assembly returned the Assembly bill entitled "An act further to provide for the construction and operation of a steam railway or rail-

ways in the counties of the State," with a message that they do non-concur in the amendments of the Senate thereto, and request a committee of conference thereon, and have appointed as such committee on their part Messrs. Husted, Oakley, Seward, Daly and McGowan.

Mr. Robertson moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Robertson, Woodin and Fox.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to the committee of conference thereon.

The Assembly returned the bill entitled "An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof," with a message informing that they had passed the same, with the following amendments :

Section 6, line 6, after the word "paid," strike out the words "by the city of New York," and insert the words "out of the State treasury on the warrant of the comptroller." Strike out all after the word "the," in line 8, same section, down to and including the word "purposes," in line 19, and insert the words "supreme court."

Section 29, line 25, strike out the words "chamberlain of the city," and insert the words "Treasurer of the State." Same section, lines 28 and 29, strike out the words "chamberlain of said city for the use and benefit of the city," and insert the words "said treasurer to be applied toward paying the salary of said arbitrators and the arbitrators' clerk." Line 31, same section, strike out the words "city of New York," and insert the word "State." Lines 32 and 33, strike out the words "mayor, aldermen and commonalty of the city," and insert the words "people of the State."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	Middleton	Robertson
Connelly	Kellogg	Moore	Selkreg
Dayton	King	Parmenter	Wagner
Dow	Lord	Ray	Woodin
Gross	Madden		

18

FOR THE NEGATIVE.

Lowery McGowan

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the Senate bill entitled "An act to facilitate the distribution of the property and effects of the American Tontine Life Insurance and Savings Institution," having met and duly considered the same, have agreed to recommend as follows :

That the House recede from its amendment, and that the bill passed by the Senate be amended so as to read as follows:

"An act to facilitate the distribution of the property and effects of American Tontine Life and Savings Insurance Company of New York.

"SECTION 1. A receiver of the property and effects of the American Tontine Life and Savings Insurance Company of New York having been duly appointed by the Supreme court of the State of New York for the first judicial district, for the purpose of collecting, receiving, and distributing the property and effects of said company, the Attorney-General may apply to the said court in the action in which said judgment was had for an order upon the foot thereof, directing the distribution of the securities, money or other property belonging to or deposited by said company with the insurance department; and said court shall have power to refer such application to inquire into and report upon the allegations stated therein; and upon the filing of such report the said court may direct that the securities and property aforesaid be distributed to and among the policy holders of said company as their rights may be determined by the court upon such application, and the residue, if any, be distributed to and among the other persons having legal rights therein as the same may be established by law.

"§ 2. Upon such order being entered, and a certified copy thereof duly served upon the Superintendent of the Insurance Department, he is hereby authorized and directed to assign, transfer, and deliver the said securities, money or property, or otherwise dispose of the same as he may be directed by said order.

"§ 3. This act shall take effect immediately."

F. W. TOBEY,
W. H. ROBERTSON,
JOHN FOX,
Senate Committee.

JAMES W. HUSTED,
WM. E. CALKINS,
WILLARD JOHNSON,
JAMES FAULKNER,
JAMES M. OAKLEY,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	King	McGowan	Robertson
Coe	Laning	Middleton	Selkreg
Dayton	Lord	Moore	Wagner
Dickinson	Madden	Ray	Woodin
Gross			

17

FOR THE NEGATIVE.

Johnson

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

On motion, the following report was called from the table:

The committee of conference of the Senate and Assembly on the disagreeing votes of the two Houses on the bill of the Assembly, printed No. 47, entitled "An act for the appointment of railroad commissioners in the several counties of the State," having met have, after full and free conference, agreed and recommend to their respective Houses, as follows:

That the Assembly recede from its disagreement to the first amendment of the Senate, and agree to the same amended as follows :

Insert, after the word "State," in line 2 of section 1, the words "except in the towns of Middlefield, Otsego and Cherry Valley, in the county of Otsego," also strike out the word "five," and insert the word "three," in line 6 of the same section; and that the Senate agree to the same as thus amended.

That the Assembly agree to the amendments of the Senate to the said bill amended by the addition of a new section, as follows :

Insert, as section 3, the following :

"§ 3. The commissioners appointed under this act shall, before entering upon their duties, and within ten days after notice of their appointment, execute to the people of the State a bond with two sureties, to be approved by the supervisor of the town and the justices of the peace of said town, or a majority thereof, the supervisor being present, with their indorsement thereon, and filed in the town clerk's office of said town, in the penal sum of double the amount of all moneys and securities coming into their hands, and conditioned that they will faithfully discharge their duties as such commissioners, and within ten days after the expiration of their terms of office, pay over to their successors what money and securities may be remaining in their hands as such commissioners, and render to such successors a true account of all moneys and securities received and paid out as such commissioners. All commissioners holding office under any former act or acts are hereby required to execute bonds of like character, and approved in the same manner, within sixty days after the passage of this act."

And that the Senate agree to the amendments as thus amended.

A. C. MCGOWAN,
JACOB A. GROSS,
F. W. TOBEY,
Senate Committee.

WILLIAM H. ELY,
D. M. HOLMES,
JOHN M. ROSCOE,
L. BRADFORD PRINCE,
C. P. VEDDER,

Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Madden	Ray
Coe	Gross	McGowan	Robertson
Connelly	Jacobs	Middleton	Selkreg
Dayton	Laning	Moore	Wagner
Dickinson	Lord	Parmenter	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference thereon.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the Senate bill entitled "An act relating to taxation and appropriations in the city of New York, and to provide for the payment of part of the cost of the Fourth avenue improvement from revenue bonds to be paid from taxation in 1876 instead of 1875, and to reduce

the tax levy of 1865 accordingly," having met and duly considered the same, have agreed to recommend as follows:

That the Senate concur in the amendments made by the Assembly in striking out the 3d section and making section 4 section 3.

WM. B. WOODIN,
JOHN FOX,
Senate Committee.

JAMES DALY,
JACOB HESS,
JNO. T. MCGOWAN,
TIMOTHY J. CAMPBELL.
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Parmenter
Cole	Jacobs	Madden	Ray
Connelly	King	McGowan	Selkreg
Dayton	Ledwith	Middleton	Wagner
Dickinson	Lord	Moore	Woodin
Down			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference thereon.

The Assembly returned the Assembly bill entitled "An act in relation to the police department in the city of New York," with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee on their part Messrs. Waehner, Faulkner, Keenan, Vedder and Struble.

Mr. Gross moved that a like committee be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Gross, Robertson and Woodin.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

The Assembly returned the Assembly bill entitled "An act to amend the charter of the city of Brooklyn," with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee on their part Messrs. McGroarty, Oakley, Kennaday, Bradley and Burtis.

Mr. Jacobs moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Jacobs, Tobey and Middleton.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to a committee of conference thereon.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the Assembly bill entitled "An act to provide for a uniform system for the repavement of streets, avenues and public places in the city of New York," having met and duly considered the same, have agreed to recommend as follows:

That the Assembly concur in the amendments made by the Senate, amended by striking out, after the word "property," the words "and such assessments paid."

JOHN W. COE,
JOHN FOX,
W. B. WOODIN,

Senate Committee.

FRED. W. SEWARD,
W. P. KIRK,
JAMES W. HUSTED,

Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Bradley	Dickinson	Middleton	Woodin	
Coe	Jacobs	Selkreg		7

FOR THE NEGATIVE.

Cole	King	Lord	McGowan	
Connelly	Laning	Lowery	Parmenter	
Dow	Ledwith	Madden	Robertson	
Gross				13

Mr. Jacobs moved to reconsider the vote by which said report was disagreed to, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill entitled "An act further to amend section 28 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Dow	Lord	Ray	
Coe	Gross	Madden	Robertson	
Connelly	Jacobs	McGowan	Selkreg	
Dayton	King	Middleton	Wagner	
Dickinson	Laning	Parmenter	Woodin	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating

to the preservation of moose, wild deer, birds and fish,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Robertson
Coe	Jacobs	Middleton	Selkreg
Cole	King	Parmenter	Wagner
Dayton	Laning	Ray	Woodin
Dickinson			

17

FOR THE NEGATIVE.

Connelly	Dow	Johnson	Lord
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the improvement of Thirty-ninth street, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Robertson
Coe	Laning	McGowan	Selkreg
Connelly	Ledwith	Middleton	Wagner
Dayton	Lord	Parmenter	Woodin
Gross	Lowery	Ray	

19

FOR THE NEGATIVE.

Johnson

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Dickinson offered the following :

Resolved, That the postmaster and mail carrier of the Senate are hereby authorized to remain fourteen days after the close of the session to forward all mail and express matter.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Madden, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act for the better regulation of railroad companies, and the election of the officers of the same," and the same ordered to a third reading.

Mr. Parmenter moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act to amend chapter 496 of the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions,' " was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Dayton	Ledwith	Robertson	Wood	
Gross	Parmenter	Selkreg		7

FOR THE NEGATIVE.

Bradley	Dow	Lord	Middleton	
Cole	Jacobs	Lowery	Ray	
Connelly	Johnson	Madden	Wagner	
Dickinson	King	McGowan		15

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Ray moved to take from the table the motion to reconsider the vote by which the Senate non-concurred in the amendment made by the Assembly to the resolution providing for the printing of 1,000 copies of the Report of the Commissioners of Fisheries.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said amendment was non-concurred in, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

The President then put the question whether the Senate would concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	Madden	Ray	
Connelly	Kellogg	McGowan	Robertson	
Dayton	King	Moore	Selkreg	
Fox	Ledwith	Parmenter	Woodin	
Gross				17

FOR THE NEGATIVE.

Bradley	Dow	Lowery	Wagner	
Cole	Johnson	Middleton	Wellman	
Dickinson	Lord			10

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Johnson moved to take from the table the resolutions in the words following :

Whereas, For the past six years an armed resistance to Spanish authority in the Island of Cuba, has been maintained by a people who have organized a government, republican in form, which guarantees to all its citizens freedom in person, religion, the right to acquire and enjoy property and equal participation in its affairs ; and,

Whereas, The war now being waged on the Island of Cuba is characterized by all the ferocity of semi-barbarism, the consequences of which

are prejudicial to the social and commercial interests of the whole people, and offensive to the civilization of this age; and,

Whereas, The sympathies of the American people are always with those who are endeavoring to secure for themselves and their posterity the advantages of freedom and a free government; and,

Whereas, It is the duty of the government of the United States, when consistent with its interests, to give expression to the sympathies of the people it represents, and extend such aid to people struggling for liberty as public policy may dictate; therefore, disclaiming any intention or desire to give to this subject any party or political bias, or to cast any reflection or imputation on the past action of our government or any of its public officials,

Resolved (if the Assembly concur), That, in the opinion of this Legislature, the time has arrived when the government of the United States (if consistent with public policy and its interests), should take such action as is best calculated to terminate the war now waging in Cuba, and secure to its people the advantages of a free government.

Resolved (if the Assembly concur), That our Senators and Representatives in Congress be requested, if consistent with the public policy, to vote for such measures as will secure to the Republic of Cuba the rights and privileges of belligerents in war.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Moore
Coe	Jacobs	Lord	Parmenter
Dayton	Johnson	McGowan	Ray
Fox	Laning		
			14

FOR THE NEGATIVE.

Cole	Kellogg	Middleton	Wagner
Connelly	King	Robertson	Wellman
Dickinson	Lowery	Selkreg	Woodin
Dow	Madden	Thompson	
			15

Mr. Johnson called for the consideration of the following resolution :

“Resolved (if the Senate concur), That the Governor be and hereby is authorized to confer on any officers of the National Guard of the State of New York below the rank of colonel, who shall have been ten years a member thereof, seven of which have been of service as a commissioned officer, a brevet commission corresponding in rank to the grade next above the one actually held by said officer at the time of conferring such brevet commission; such brevet rank shall be honorary and shall not entitle the person holding the same to precedence on command, except by special assignment of commander-in-chief. Recommendations for promotion to such brevet ranks shall be made by the brigadiers-general for the officers of their respective brigades, indorsed by the commandant of their division, except in the case of a separate troop, battery or company attached to a division which shall be made by the division commander.”

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. McGowan moved to take from the table the motion to reconsider the vote by which the Senate refused to concur in the resolution in the words following:

"*Resolved* (if the Assembly concur), That the Canal Board be authorized to reduce the tolls on pine and hard-wood lumber to the rate of three (3) mills per 1,000 feet per mile."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	McGowan	Selkreg
Connelly	King	Middleton	Thompson
Dayton	Laning	Moore	Wood
Fox	Ledwith	Parmenter	Woodin
Gross	Madden	Ray	
			19

FOR THE NEGATIVE.

Bradley	Dow	Lord	Wagner
Cole	Johnson	Lowery	Wellman
Dickinson			
			9

The President then put the question whether the Senate would agree to said motion to reconsider the vote by which said resolution was lost, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	Moore	Selkreg
Connelly	King	Parmenter	Tobey
Dayton	Laning	Ray	Wood
Fox	Ledwith	Robertson	Woodin
Gross	McGowan		
			18

FOR THE NEGATIVE.

Bradley	Dow	Lord	Wagner
Cole	Johnson	Lowery	Wellman
Dickinson	Kellogg	Middleton	
			11

Mr. Woodin moved to amend by inserting, after the words "Canal Board," the words "in their discretion."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs.	Madden	Robertson
Connelly	King	McGowan	Selkreg
Dayton	Laning	Moore	Thompson
Fox	Ledwith	Parmenter	Tobey
Gross	Lord	Ray	Woodin
			20

FOR THE NEGATIVE.

Bradley	Dow	Lowery	Wellman
Dickinson	Kellogg	Middleton	
			7

When the name of Mr. Wood was called, he asked to excused from voting.

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

Mr. Jacobs moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York," was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Selkreg
Coe	Johnson	Middleton	Thompson
Connelly	Laning	Moore	Tobey
Dayton	Ledwith	Parmenter	Wagner
Fox	Lord	Ray	
			19

FOR THE NEGATIVE.

Dickinson	Gross	Lowery	Robertson
Dow	Kellogg		
			6

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Middleton	Selkreg
Coe	Laning	Moore	Thompson
Dayton	Ledwith	Parmenter	Tobey
Fox	Lord	Ray	Wagner
Jacobs	Madden		
			18

FOR THE NEGATIVE.

Dickinson	Kellogg	Lowery	Robertson
Dow			
			5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Fox moved to take from the table the motion to reconsider the vote by which the report of the committee of conference upon Assembly bill entitled "An act to provide for a uniform system for the repavement of streets, avenues and public places in the city of New York," was disagreed to.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider the vote by which said report was disagreed to, and it was decided in the affirmative, a majority of all the members elected to, the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Robertson	
Coe	Johnson	McGowan	Selkreg	
Dayton	Kellogg	Middleton	Thompson	
Dickinson	Ledwith	Moore	Wagner	
Fox	Lord	Parmenter	Wellman	
Gross	Lowery	Ray		23

FOR THE NEGATIVE.

Connelly	Dow	King	Tobey	4
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Mr. Fox moved that said bill be recommitted to the committee of conference.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

M. Jacobs offered the following :

Whereas, The State Engineer and Surveyor, by a resolution of the Assembly dated May 7, 1872, was required to make a survey and estimate of the number of cubic yards of crib work, stone, sand and other material, built, filled in and furnished in the construction of Quarantine Island, No. 2, in the lower bay of New York ; and, whereas, the said State Engineer and Surveyor, by his report dated May 8, 1873, set forth and specified the quantity of such material ; and, whereas, the contractor or contractors by whom the said work was done and materials furnished now claim that the State is indebted to them for a portion of the same ; therefore,

Resolved (if the Assembly concur), That the Comptroller, the State Engineer and Surveyor, and the Attorney-General be appointed a board to examine into said claim with instructions to report to the next Legislature.

By unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Gross moved to take from the table the motion to disagree with the adverse report of the committee on the judiciary upon the Assembly bill entitled "An act in relation to courts of record."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Gross moved that said bill be committed to a special committee consisting of the Senators from the city and county of New York.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. King, from the committee on joint library, to which was referred the concurrent resolution in relation to the transfer to Washington's Headquarters, at Newburgh, of revolutionary relics now deposited in the State Museum of Natural History, reported adversely thereto, in writing.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

(See Doc. No. .)

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

On motion of Mr. Lord, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act in relation to the care, custody and management of the water-works of the city of Rochester, and to regulate the collection of water rents in said city," and the same ordered to a third reading.

On motion of Mr. Gross, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act to amend the charter of the American Institute of the city of New York," and the same ordered to a third reading.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide ways and means for the support of government," reported in favor of the passage of the same

On motion of Mr. Wood, and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Ledwith	Parmenter
Coe	Jacobs	Lowery	Ray
Connolly	Johnson	Madden	Robertson
Dayton	King	Middleton	Selkreg
Dickinson	Laning	Moore	Wagner
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the care, custody and management of the water works of the city of Rochester, and to regulate the collection of water rents in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Madden	Robertson
Coe	Laning	Middleton	Selkreg
Dayton	Ledwith	Moore	Wagner
Dow	Lord	Parmenter	Wellman
Jacobs	Lowery	Ray	Wood
Johnson			
			21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for laying an assessment for sewers in said district."

"An act to provide for the opening and improving of Lewis avenue, and for extending, opening, and improving of Downing street, in the city of Brooklyn."

"An act to amend an act entitled 'An act to widen and improve Ninth avenue and Fifteenth street, in the city of Brooklyn.'"

After some time spent therein the President resumed the chair, and Mr. Ray, from said committee, reported in favor of the passage of said named bills, which report was agreed to, and the same ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to alter and define the boundaries of the first and second commissioner districts of Monroe county."

"An act to provide for the apportionment of rents, annuities, dividends and other payments."

"An act to alter the commissioners' map of the city of Brooklyn, and closing a part of Bushwick avenue court yard."

After some time spent therein the President resumed the chair, and Mr. Jacobs, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered to a third reading.

Mr. Jacobs, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to amend chapter 122 of the Laws of 1851, entitled 'An act for the incorporation of building, mutual, loan and accumulating fund associations.'"

"An act to provide for the improvement of portions of Commercial street and Union place, in the city of Brooklyn."

"An act to amend section 6 of title 4 of chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

After some time spent therein, the President resumed the chair, and Mr. Tobey, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. Jacobs moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tobey, from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows :

"An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

"An act regulating the erection and maintenance of fire-escapes upon certain buildings, and for the better security of life in case of fire."

"An act to increase the powers of the common council of the city of Brooklyn."

After some time spent therein, the President resumed the chair, and Mr. Selkreg, from said committee, reported in favor of the passage of said bills, which report was agreed to, and the same ordered to a third reading.

On motion of Mr. Kellogg, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,'" and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	Selkreg
Coe	Gross	Lord	Thompson
Cole	Jacobs	Lowery	Wagner
Connelly	Kellogg	Ray	Wood
Dayton	King	Robertson	Woodin
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to incorporate the Great Council of the Improved Order of Red Men of the State of New York."

"An act to provide for the recording of certain decrees in partition suits in the clerk's offices of certain counties of this State and for the alphabetical indexing of the names of the grantors and grantees of deeds, mortgages and other instruments recorded and to be recorded in said clerks' offices."

"An act to confirm the proceedings of supervisors and justices of the peace of the several towns, in the county of Kings, relating to town sealers."

After some time spent therein the President resumed the chair, and Mr. Dow, from said committee, reported in favor of the passage of the said named bills, which report was agreed to, and the same ordered to a third reading.

The committee of conference, to which was referred the matters in difference between the two Houses upon the Assembly bill entitled "An act for the preservation of fish in the Niagara river," report that the Senate recedes from all its amendments.

A. P. LANING,
W. H. ROBERTSON,
WM. JOHNSON,
Senate Committee.

H. B. RANSOM,
P. HANRAHAN,
W. W. LAWSON,
O. C. BORDWELL,
OBED EDSON,
Assembly Committee

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Coe	Jacobs	Lord	Selkreg	
Dayton	Johnson	McGowan	Thompson	
Dow	King	Moore	Tobey	
Fox	Laning	Parmenter	Wagner	
Gross	Ledwith	Robertson	Wellman	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the report of the committee of conference.

Mr. Laning moved to reconsider the vote by which the Assembly bill entitled "An act to prevent the commission of frauds in the purchase and sale of real estate in the counties of New York and Kings," was lost.

The President put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Parmenter	
Coe	Jacobs	Lord	Ray	
Dayton	Johnson	Lowery	Selkreg	
Dow	Kellogg	McGowan	Tobey	
Fox	Laning	Moore	Wellman	20

FOR THE NEGATIVE.

Cole	Dickinson	Robertson	Wagner	
Connelly	Middleton			6

On motion of Mr. Laning, and by unanimous consent, said bill was amended as follows:

Strike out the first section of said bill.

Amend the title so as to read as follows:

"An act in relation to the Real Estate Record and Builders' Guide in the city of New York."

Said bill was then read a third time.

The President put the question whether the Senate would agree to final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	Moore	
Coe	Gross	Ledwith	Parmenter	
Dayton	Jacobs	Lord	Ray	
Dow	Johnson	Madden	Tobey	16

FOR THE NEGATIVE.

Cole	Lowery	Robertson	Wellman	
Connelly	McGowan	Thompson	Wood	
Dickinson	Middleton	Wagner	Woodin	
Kellogg				13

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Robertson, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the jurisdiction of the marine court of the city of New York, and to the justices of said court," reported in favor of the passage of the same, with amendments (Mr. Kellogg dissenting), and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 67 of article 2, chapter 1, part 2, title 2 of the Revised Statutes, in relation to trusts," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act to incorporate the New York Cheap Transportation Association."

"An act to amend chapter 585 of the Laws of 1874, entitled 'An act to incorporate the Brooklyn Elevated Silent Safety Railway, for the purposes of providing rapid transit through the city of Brooklyn, Kings county, to Woodhaven, in the town of Jamaica, in the county of Queens, and the State of New York, and to provide for constructing and operating a railway therefor,' passed May 26, 1874."

"An act to authorize the Board of Commissioners of Emigration to mortgage the lands of the State on Ward's Island, and to extinguish the liabilities against the said board."

After some time spent therein, the President resumed the chair, and Mr. Lord, from said committee, reported progress on the first named bills, and asked leave to sit again.

Mr. Coe moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lord, from the same committee, reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Lord, from the same committee, reported that they had stricken out the enacting clause of the last named bill, and directed their chairman to report that fact to the Senate.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have stricken out the enacting clause.

The committee of conference appointed by the Senate and Assembly to which was recommitted the matters in difference between the two Houses in relation to the Assembly bill entitled "An act relating to the repavement of streets, avenues and highways in the city of New York, heretofore paved with wood or concrete," having met and duly considered the same, have agreed to recommend as follows:

That the Assembly concur in the amendments made by the Senate, amended by striking out, after the word "property," the words "and

such assessments paid." And also insert the words "according to law," in the first section, after the word "work."

JNO. W. COE,
JOHN FOX,
W. B. WOODIN,
Senate Committee.

F. W. SEWARD,
W. P. KIRK,
JAMES W. HUSTED,
JAMES DALY,
Assembly Committee.

The President then put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Thompson
Coe	Laning	Middleton	Wagner
Dickinson	Ledwith	Parmenter	Wellman
Fox	Lord	Ray	Woodin
Gross	Madden	Selkreg	19

FOR THE NEGATIVE.

Connelly	Kellogg	Robertson	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference thereon.

Mr. Thompson, from the committee on internal affairs, to which was referred the Assembly bill entitled "An act relating to the powers and duties of the board of commissioners of charities of the county of Kings," reported in favor of the passage of the same (Mr. Wellman dissenting), and said bill was committed to the committee of the whole.

Mr. Gross, from the special committee of New York Senators, to which was referred the Assembly bill entitled "An act in relation to courts of record," reported in favor of the passage of the same, with amendments, and the title amended by adding thereto the words "of the city and county of New York," and said bill was committed to the committee of the whole.

Mr. Wood, from the committee on finance, to which was referred the Assembly bill entitled "An act authorizing the payment of William A. Dunn, for services as doorkeeper of the Assembly," reported that the committee have had the same under consideration, and have directed their chairman to report the same, with amendments, and, as amended, recommend its passage.

On motion of Mr. Johnson, the Senate took a recess until half-past seven o'clock.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act in relation to the jurisdiction of the marine court of the city of New York, and to the justices of said court."

"An act to amend chapter 253 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company.'"

"An act relating to the powers and duties of the board of commissioners of charities of the county of Kings."

After some time spent therein the President resumed the chair, and Mr. , from said committee, reported progress on said first named bill, and asked leave to sit again.

Mr. Gross moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. , from the same committee, reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered to a third reading.

The Assembly returned the bill entitled "An act to amend chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,'" with a message that they do non-concur in the amendments of the Senate thereto, request a committee of conference thereon, and have appointed as such committee on their part, Messrs. Waehner, Benedict, T. C. Campbell, Husted and Struble.

Mr. Kellogg moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Kellogg, Laning and Tobey.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have assented to the committee of conference thereon.

The Assembly returned the bill entitled "An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York or Raritan bay, within the jurisdiction of the State of New York," with a message that they have concurred in the passage of the same, with the following amendments:

Section 4, lines 4 and 5, engrossed bill, strike out the words "by and with the consent of the Senate." Same section, line 48, strike out the words "and his subordinates."

Section 7, strike out all after the word "him," in line 18, and insert the following: "The expense of the removal of such matter shall be paid by the county of Kings, and the proper officers are hereby directed to cause such amount of money to be raised annually as may be necessary for the purpose, provided such expense shall not exceed the sum of two thousand dollars in any one year, and the same shall be paid by the county treasurer of said county to the person or persons entitled thereto, upon the certificate of the inspector provided to be appointed by the fourth section of this act."

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Tobey
Coe	Gross	McGowan	Wagner
Connelly	Jacobs	Parmenter	Wellman
Dayton	Kellogg	Ray	Wood
Dow	Laning	Thompson	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly sent for concurrence the bill entitled as follows :

"An act to incorporate the Narrowsburgh Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly returned the following entitled bill, with a message that they had non-concurred in the passage of the same :

"An act to authorize cities, towns and villages to establish and maintain free public libraries and reading rooms.

The Assembly returned the following entitled Assembly bill, with a message that they had agreed to the report of the committee of conference thereon :

"An act for the preservation of fish in the Niagara river."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the bills entitled as follows :

"An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof."

"An act to facilitate the distribution of the property and effects of the American Tontine Life and Savings Insurance Company of New York."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto :

"An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York."

"An act for the improvement of the navigation of the Hudson river and Catskill creek, and to make an appropriation therefor."

"An act to amend chapter 556 of the Laws of 1874, entitled 'An act to enable the towns of East Chester and Pelham, in the county of Westchester, to purchase and obtain lands for the improvement of East Chester creek.'"

"An act in relation to the care, custody and management of the water-works of the city of Rochester, and to regulate the collection of water rents in said city."

"An act further to amend section 28 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the concurrent resolution relative to the final adjournment, with a message that they had concurred in the amendment of the Senate thereto.

The Assembly returned the following concurrent resolutions, with a message that they had concurred in the passage of the same :

The concurrent resolution relative to the commissioners appointed to investigate as to harbor encroachments in the harbor of New York.

Also, the concurrent resolution requesting the Governor to apply to the President of the United States to appoint a competent officer to examine and revise the exterior pier and bulkhead lines of the harbor of New York on the Brooklyn side.

Also, the concurrent resolution providing that the testimony and proceedings of the joint committee appointed to investigate relative to alleged canal frauds be printed under the direction of said committee as said committee shall proceed in its investigation.

Also, the concurrent resolution authorizing the Canal Board to reduce tolls on pine and hard-wood lumber to three mills per 1,000 feet per mile.

Also, the concurrent resolution authorizing the Comptroller, State Engineer and Surveyor, and Attorney-General to examine as to work done in the construction of Quarantine Island No. 2.

The Assembly returned the bill entitled "An act to regulate investments by insurance companies," with a message that they had passed the same, with the following amendments:

Section 1, line 1, engrossed bill, after the word "under," insert the words "any of." Line 9, after the word "report," insert the words "to have under oath." Same line, after the word "held," insert the words "by any such company."

Insert as section 2 the following:

"§ 2. It shall be lawful for any life, fire or marine insurance company organized under any of the Laws of this State, and transacting business in other States of the United States, to invest the funds required to meet its obligations incurred in such other States respectively in the same class of securities in those States that such corporations are by law allowed to invest in this State; but this act shall not be construed as authorizing, nor does it permit any such corporation to loan moneys on mortgage upon real estate without the limits of this State and States adjacent thereto."

Change section 2 to section 3.

The President put the question whether the Senate would concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Moore	Tobey
Coe	King	Ray	Wagner
Connelly	Ledwith	Robertson	Wellman
Dayton	Lord	Selkreg	Wood
Fox	Madden	Thompson	Woodin
Gross			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly bill entitled "An act for the better regulation of railroad companies, and to protect the rights of minority stockholders," having been announced for a third reading,

On motion of Mr. Selkreg, and by unanimous consent, the title was amended so as to read as follows:

"A act to define the powers and privileges of railroad corporations, and to repeal sections 3 and 4 of chapter 278 of the Laws of 1868, entitled 'An act in relation to the Erie, New York Central and Hudson River, and Harlem Railroad companies.'"

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Parmenter	Thompson
Coe	Laning	Ray	Tobey
Connelly	Lord	Robertson	Wagner
Dayton	Moore	Selkreg	Wellman
Dow			

17

FOR THE NEGATIVE.

Dickinson	Gross	Kellogg	McGowan
Fox	Jacobs	Lowery	Woodin

8

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act for the demolition of unsafe walls and buildings in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Ledwith	Ray
Coe	Jacobs	Lord	Robertson
Dayton	Kellogg	Lowery	Thompson
Dickinson	King	McGowan	Wellman
Fox	Laning	Middleton	Woodin

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for laying an assessment for sewers in said district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Selkreg
Coe	Gross	Lowery	Thompson
Cole	Jacobs	Middleton	Tobey
Dayton	King	Moore	Wellman
Dow	Laning	Robertson	Wood

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 585 of the Laws of 1874, entitled 'An act to incorporate the Brooklyn Elevated Silent

Railway, for the purpose of providing rapid transit through the city of Brooklyn, Kings county, to Woodhaven, in the town of Jamaica, in the county of Queens, and the State of New York, and to provide for constructing and operating a railway therefor,' passed May 26, 1874," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lowery	Selkreg
Coe	Jacobs	McGowan	Thompson
Cole	Kellogg	Moore	Tobey
Dayton	King	Parmenter	Wagner
Dow	Laning	Ray	Wood
Fox	Lord	Robertson	23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 122 of the Laws of 1851, entitled 'An act for the incorporation of building, mutual, loan and accumulating fund associations,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	Gross	Lord	Robertson
Connelly	Jacobs	McGowan	Selkreg
Dayton	King	Middleton	Thompson
Dickinson	Laning	Parmenter	Wagner
Dow	Ledwith	Ray	Wellman
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 521 of the Laws of 1857, entitled 'An act in relation to sewerage and drainage in the city of Brooklyn,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Ray
Cole	Gross	McGowan	Robertson
Connelly	Jacobs	Middleton	Thompson
Dayton	King	Moore	Wagner
Dickinson	Laning	Parmenter	Wellman
Dow	Ledwith		22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the improvement of portions of Commercial street and Union place and Prospert place, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Moore	Thompson
Coe	Laning	Parmenter	Tobey
Dayton	Ledwith	Ray	Wagner
Fox	Lord	Robertson	Wood
Gross			

17

FOR THE NEGATIVE.

Connelly	Dickinson	Dow
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

The Assembly bill entitled "An act to increase the powers of the common council of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Middleton	Thompson
Coe	King	Moore	Tobey
Connelly	Laning	Parmenter	Wellman
Dayton	Ledwith	Ray	Wood
Fox	Lord	Robertson	

19

FOR THE NEGATIVE.

Dow

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

¶ The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses on the Assembly bill entitled "An act further to provide for the construction and operation of a steam railway or railways in counties of the State," respectfully report that they have met and duly considered the same, and have agreed to recommend that the Assembly do concur in the following amendments to the bill as proposed by the Senate, namely :

Section 4, line 47, strike out the words "and not already," and insert in lieu thereof the words "and except such portions of streets and avenues as are already legally designated for the main line or."

Line 15, after the word "operation," insert the word "and."

¶ Line 19, after the words "United States," insert the words "and except that portion of the city of Buffalo lying between Michigan avenue and Main street."

And your committee further report that they have agreed to recommend that the Assembly do concur in the following amendments to the bill proposed by the Senate, and amended as follows:

Strike out section 36 and insert in lieu thereof as follows:

"§ 36. Whenever the route or routes determined upon by said commissioners coincide with the route or routes covered by the charter of an existing corporation formed for the purpose provided for by this act; provided that said corporation has not forfeited its charter or failed to comply with the provisions thereof requiring the construction of a road or roads within the time prescribed by its charter; such corporation shall have the like power to construct and operate such railway or railways, upon fulfillment of the requirements and conditions imposed by said commissioners as a corporation specially formed under this act; and the said commissioners may fix and determine the route and routes by which any elevated steam railway or railways now in actual operation may connect with other steam railways or the depots thereof, or with steam ferries, upon fulfillment by such elevated steam railway company, so far as it relates to such connection of such of the requirements and conditions imposed by said commissioners under section 4 of this act as are necessary to be fulfilled in such cases under section 18 of article 3 of the Constitution of this State, and such connecting elevated railway shall in such case possess all the powers conferred by section 26 of this act; and when any connecting route or routes shall be so designated, such elevated railway company may construct connection with all the rights, and with like effect, as though the same had been a part of the original route of such railway."

Strike out all of section 40 after the word "and," in line 5 of said section, and insert in lieu thereof the following: "None of the provisions of this act shall apply to any railroad company organized under any general or special law of this State for the purpose of constructing or operating a steam railroad on the surface of the ground, nor to the operation or management of any such railroad heretofore constructed."

Strike out section 41 and insert in lieu thereof the following:

"§ 41. It shall not be lawful for any company organized under the provisions of this act, or under any other act heretofore passed, to construct a steam railway upon St. Nicholas avenue, in the city of New York, or those streets or avenues in said city commonly known as boulevards, except to cross the same, under such regulations as shall be imposed by the commissioners provided for by this act, and every such company shall be bound by the restrictions and limitations as to its route and as to its mode of construction, which shall be established by the commissioners appointed under the acts from which its powers were derived, as far as such restrictions and limitations are consistent with the provisions of this act. The provisions of this section shall not be deemed to apply to any existing horse street railway heretofore authorized to be constructed."

All of which is respectfully submitted.

W. H. ROBERTSON,
JNO. C. JACOBS,
Senate Committee.

JAMES W. HUSTED,
JNO. T. MCGOWAN,
JAMES M. OAKLEY,
F. W. SEWARD,
JAMES DALY,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lowery	Selkreg
Coe	Gross	Madden	Tobey
Connelly	Jacobs	McGowan	Wagner
Dayton	Kellogg	Parmenter	Wellman
Dickinson	Laning	Ray	Wood
Dow	Ledwith	Robertson	Woodin

24

FOR THE NEGATIVE.

Cole	King	Middleton	Thompson
Johnson	Lord		

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The Assembly bill entitled "An act to confirm and legalize certain acts of the common council of the city of Elmira," having been announced for a third reading,

On motion of Mr. Bradley, and by unanimous consent, said bill was amended as follows :

Add, at the end of section 2, the following : "Nor shall the provisions of this act be construed to legalize any assessment against person or property not liable to assessment under the then existing law for such improvements in the city of Elmira."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Lord	Robertson
Coe	Jacob	Madden	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	Kellogg	Middleton	Wagner
Dayton	King	Moore	Wellman
Dickinson	Laning	Parmenter	Wood
Dow	Ledwith	Ray	Woodin
Fox			

29

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

The Assembly bill entitled "An act to amend the charter of the American Institute of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Dow	Lowery	Ray
Coe	Fox	McGowan	Robertson
Connelly	Gross	Middleton	Thompson
Dayton	King	Moore	Wood
Dickinson	Ledwith	Parmenter	

19

FOR THE NEGATIVE.

Kellogg	Madden	Wagner	Woodin
Laning	Selkreg	Wellman	

7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Gross	Madden	Selkreg
Coe	Jacobs	McGowan	Thompson
Connelly	Johnson	Middleton	Wagner
Dayton	King	Moore	Wellman
Dickinson	Laning	Parmenter	Woodin
Dow	Lord	Robertson	

23

FOR THE NEGATIVE.

Kellogg	Ray
---------	-----

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act in relation to the powers and duties of the department of public parks of the city of New York," reported in favor of the passage of the same.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

The Assembly bill entitled "An act relating to the powers and duties of the board of commissioners of charities of the county of Kings," having been announced for a third reading,

On motion of Mr. Coe, and by unanimous consent, said bill was amended as follows:

Strike out section 2, and insert in lieu thereof the following :

"§ 2. In addition to the powers heretofore and by existing laws vested in the said commissioners, they shall have power to appoint a general inspector, who shall have power to examine and reject any or all supplies furnished by contract by the board of supervisors for the use of the poor of Kings county which are not according to contract. The said commissioners shall also have the power to fix the salaries of all employees; provided, however, that the aggregate amount of salaries

The Assembly bill entitled "An act to confirm the proceedings of supervisors and justices of the peace of the several towns, in the county of Kings, relating to town sealers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Laning	Ray
Connelly	Gross	Ledwith	Robertson
Dayton	Jacobs	Lord	Thompson
Dickinson	Kellogg	Madden	Wagner
Dow	King	Middleton	Woodin

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend section 6 of title 4 of chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Kellogg	Lord	Ray
Connelly	King	Madden	Robertson
Dickinson	Laning	Middleton	Wagner
Fox	Ledwith	Parmenter	Woodin

17

FOR THE NEGATIVE.

Dow	Selkreg	Thompson	Wellman
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the apportionment of rents, annuities, dividends and other payments," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	King	Ray	Tobey
Dickinson	Laning	Robertson	Wagner
Dow	Ledwith	Selkreg	Wellman
Fox	Lord	Thompson	Woodin
Jacobs	Middleton		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the opening and improving of Lewis avenue and for extending, opening, and improving of Downing street, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Lord	Selkreg
Dickinson	Kellogg	Middleton	Thompson
Dow	King	Moore	Wagner
Gross	Laning	Parmenter	Wellman
Jacobs	Ledwith	Ray	Woodin
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to widen and improve Ninth avenue and Fifteenth street in the city of Brooklyn,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Laning	Parmenter	Wagner
Coe	Ledwith	Ray	Wellman
Dickinson	Lord	Robertson	Wood
Jacobs	Madden	Selkreg	Woodin
King	Middleton	Thompson	
			19

FOR THE NEGATIVE.

Connelly 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to alter and define the boundaries of the first and second commissioner districts of Monroe county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Robertson
Coe	Jacobs	Madden	Selkreg
Connelly	Kellogg	Middleton	Thompson
Dickinson	King	Parmenter	Wagner
Dow	Laning	Ray	Wellman
			20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to incorporate the Great Council of the Improved Order of Red Men of the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Coe	King	Middleton	Thompson
Connelly	Laning	Parmenter	Wagner
Dickinson	Ledwith	Ray	Wellman
Fox	Lord	Robertson	Woodin
Gross	Lowery		

18

FOR THE NEGATIVE.

Bradley	Dow	Kellogg	Selkreg
Cole	Johnson		

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to incorporate the New York Cheap Transportation Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	King	Middleton	Selkreg
Coe	Laning	Parmenter	Thompson
Cole	Lowery	Ray	Wellman
Connelly	Madden	Robertson	Wood
Dow			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to the powers and duties of the department of public parks, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Moore	Tobey
Cole	Johnson	Parmenter	Wagner
Connelly	Laning	Robertson	Wellman
Dayton	Ledwith	Selkreg	Wood
Dickinson	Madden	Thompson	• Woodin
Dow	Middleton		

22

FOR THE NEGATIVE.

Jacobs	King	Ray	
--------	------	-----	--

8

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act to provide for the recording of certain decrees in partition suits in the clerks' offices of certain counties of this State, and for the alphabetical indexing of the names of the grantors and grantees of deeds, mortgages, and other instruments recorded and to be recorded in said clerks' offices," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	McGowan	Thompson
Cole	Johnson	Middleton	Tobey
Connelly	Laning	Parmenter	Wagner
Dickinson	Ledwith	Ray	Wellman
Dow	Lord	Robertson	Wood
Fox	Lowery		

22

FOR THE NEGATIVE.

King	Madden	
------	--------	--

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Woodin, from the committee on the affairs of cities, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Binghamton to raise and borrow money to be used by commissioners for the purpose of purchasing land and erecting a city hall building and a lock-up thereon, and furnish the same," reported in favor of the passage of the same.

On motion of Mr. Woodin, and by unanimous consent, the rules were suspended, and said bill ordered to a third reading.

On motion of Mr. Fox, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act in relation to courts of record," and the same ordered to a third reading.

The Assembly bill entitled "An act to amend chapter 253 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Parmenter	Wellman
Coe	Gross	Selkreg	Wood
Cole	Moore	Thompson	

11

FOR THE NEGATIVE.

King	Lowery	Middleton	Tobey
Laning	Madden	Robertson	Wagner
Ledwith	McGowan		

10

Mr. Coe moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The Assembly bill entitled "An act in relation to the jurisdiction of the marine court of the city of New York, and to the justices of said court," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present as follows:

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Robertson
Coe	Gross	McGowan	Tobey
Cole	Jacobs	Middleton	Wagner
Dayton	Johnson	Moore	Wellman
Dickinson	Ledwith	Parmenter	Wood
Dow	Lowery	Ray	

23

FOR THE NEGATIVE.

Kellogg	Thompson	Woodin	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Jacobs, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend chapter 455 of the Laws of 1847, entitled 'An act to amend an act entitled An act to reduce the number of town officers, and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed May 10, 1845," and the same ordered to a third reading.

The Assembly bill entitled "An act to authorize the common council of the city of Binghamton to raise and borrow money to be used by commissioners for the purpose of purchasing land and erecting a city hall building and a lock-up thereon, and furnish the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Middleton	Thompson
Cole	Johnson	Moore	Tobey
Connelly	King	Parmenter	Wagner
Dickinson	Laning	Ray	Wellman
Dow	Ledwith	Robertson	Wood
Fox	Madden	Selkreg	Woodin
Gross	McGowan		

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

The Assembly bill entitled "An act in relation to courts of record in the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Lord	Ray
Coe	Gross	Madden	Selkreg
Cole	Jacobs	Middleton	Thompson
Dayton	Johnson	Moore	Wagner
Dickinson	Ledwith	Parmenter	

19

FOR THE NEGATIVE.

Dow	King	McGowan	Wellman
Kellogg	Lowery	Robertson	

7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 455 of the Laws of 1847, entitled 'An act to amend an act entitled An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed May 10, 1845," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Coe	Jacobs	Madden	Robertson
Dickinson	Kellogg	Middleton	Selkreg
Dow	Laning	Moore	Wellman
Fox	Ledwith	Parmenter	Woodin
Gross	Lord	Ray	

19

FOR THE NEGATIVE.

Bradley	McGowan	Wagner	
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

On motion of Mr. Woodin, and by unanimous consent, the Assembly bill entitled "An act to provide for the liquidation of and payment of claims against the State of New York," was ordered considered in the first committee of the whole.

On motion of Mr. Fox, and by unanimous consent, the Assembly bill entitled "An act to amend chapter 742 of the Laws of 1871 entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city,' passed April 26, 1871," was ordered considered in the first committee of the whole.

On motion of Mr. Jacobs, and by unanimous consent, the committee of the whole was discharged from the further consideration of the

Assembly bill entitled "An act for the improvement of Myrtle avenue, in the city of Brooklyn," and the same was ordered to a third reading.

On motion of Mr. Kellogg, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act authorizing the payment of William A. Dunn, for services as doorkeeper of the Assembly, and for Robert McIntyre as messenger to the post office," and the same was ordered to a third reading.

On motion of Mr. Gross, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act to amend section 67 of article 2, chapter 1, part 2, title 2 of the Revised Statutes in relation to trusts."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Wagner
Connelly	Johnson	Moore	Wellman
Dow	Kellogg	Parmenter	Wood
Fox	Lord	Ray	Woodin
Gross			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments :

The Assembly bill entitled "An act for the improvement of Myrtle avenue, in the city of Brooklyn," having been announced for a third reading,

On motion of Mr. Jacobs, and by unanimous consent, said bill was amended as follows :

Add to section 3 the following :

"The owners of property who are assessed for said improvement shall not be called upon to pay the amount of such assessment, until after the expiration of five years from the completion of said work, but such owners as shall not elect to pay when the assessment is ready for collection shall be charged and shall be required to pay the interest upon the amount of their respective assessments, from the time the assessment is due or ready for collection until they shall pay the same."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Kellogg	Moore	Thompson
Coe	Laning	Parmenter	Wagner
Cole	Ledwith	Ray	Wellman
Dow	Lord	Robertson	Wood
Gross	Lowery	Selkreg	Woodin
Jacobs	Middleton		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows:

"An act to provide for the liquidation and payment of claims against the State of New York."

After some time spent therein, the President resumed the chair, and Mr. Connelly, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Fox, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire alarm telegraph, the incumbrance of hydrants and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city,' passed April 26, 1871," and the same was ordered to a third reading.

On motion of Mr. Wood, the Senate then went into executive session; and, after some time spent therein, the doors were opened, and,

On motion of Mr. Woodin, the Senate adjourned.

SATURDAY, MAY 22, 1875.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Dow, the reading of the journal of yesterday was dispensed with.

The committee of conference, to which was referred the matters in difference between the two Houses on Senate bills Nos. 209, 215 and 216, entitled respectively as follows:

"An act in relation to regulating, grading, and otherwise improving streets, roads, and avenues in the city of New York, and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and in relation to opening streets, avenues, roads or public parks and places in the city of New York."

"An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871; and also to amend an act to re-enact and amend the same, passed April 6, 1871, and to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at a higher elevation."

"An act relative to claims and legal proceedings against the mayor, aldermen and commonalty of the city of New York,"

Having met, have, after full and free conference, failed to agree, and ask to be discharged from the further consideration thereof, and that a new committee of conference be appointed.

W. B. WOODIN,
Senate Committee.

JAMES DALY,
T. J. CAMPBELL,
JNO. T. MCGOWAN,
Assembly Committee.

A message from the Assembly was received and read as follows :

IN ASSEMBLY, *May 22, 1875.*

Report of committee agreed to, and the following appointed as a new committee of conference on the part of the Assembly: Messrs. Daly, T. J. Campbell, McGowan, Hess and Worth.

By order.

HIRAM CALKINS, *Clerk.*

Mr. Woodin moved that a new committee be appointed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as such committee Messrs. Booth, Tobey and Parmenter.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a new committee of conference thereon.

The Assembly returned the following entitled Assembly bill, with a message that they had agreed to the report of the committee of conference thereon :

"An act to provide for a uniform system for the repavement of streets, avenues and public places in the city of New York."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly bill entitled "An act authorizing the payment of William A. Dunn, for services as doorkeeper of the Assembly, and Robert McIntyre as post-office messenger of the Senate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	McGowan	Thompson
Cole	Kellogg	Parmenter	Wagner
Connelly	King	Ray	Wellman
Dayton	Laning	Robertson	Wood
Dickinson	Ledwith	Selkreg	Woodin
Dow	Madden		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to alter the commissioners' map of the city of Brooklyn and for other purposes," having been announced for a third reading,

On motion of Mr. Jacobs, and by unanimous consent, said bill was amended as follows:

Add, as section 2, the following:

"§ 2. It shall be lawful for the owner or owners of the lands fronting upon Fourth place, in the city of Brooklyn, between Smith and Court streets, or of any part thereof, and their heirs and assigns, to sell, convey, build upon, or otherwise improve and use the lands, or any part thereof heretofore reserved for court yards upon said Fourth place, between said Court and Smith streets, in said city."

Add, as section 3, the following:

"§ 3. All acts or parts of acts inconsistent with this act are hereby repealed."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Lowery	Selkreg
Cole	Kellogg	Madden	Thompson
Connelly	Laning	Parmenter	Wagner
Dow	Ledwith	Ray	Wellman
Gross	Lord	Robertson	Woodin
Jacobs			

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act supplementary to an act entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city,' passed April 26, 1871," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lord	Selkreg
Cole	Kellogg	Madden	Thompson
Connelly	King	Middleton	Wagner
Dow	Laning	Moore	Wellman
Fox	Ledwith	Ray	Woodin
Gross			

21

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Robertson offered the following:

Whereas, The Governor in his special message of May 11, 1875, called the attention of the Legislature to the evils arising from our pre-

sent unstable municipal systems, and the necessity of adopting a permanent and uniform plan for the government of the cities of the State; therefore,

Resolved (if the Assembly concur), That the Governor be and hereby is authorized to appoint a commission of not more than twelve persons, whose duty it shall be to consider the subject referred to in the said message, to devise a plan for the government of cities, and to report the same to the next Legislature.

Resolved (if the Assembly concur), That the committee on ways and means report a suitable appropriation for defraying the actual expenses of the commission, to be audited by the Comptroller, provided that the commission shall receive no compensation for their services.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Woodin offered the following:

Resolved, That a committee of three Senators be appointed to make an investigation in respect to each of the departments of the government of the city and county of New York and the offices thereof, for the purpose of ascertaining the method of administration adopted by each, and the expenditures by each, and what changes, if any, in the laws are required to reduce taxation, stop the growth of the city and county debt, and improve the efficiency, harmony, and economy of the city and county government; that they also investigate the administration and cost of the several courts and offices of the county or city and county of New York, and whether the same may be improved and reduced with benefit to the public interest; the committee to have power to sit during recess, to send for persons and papers, and to examine witnesses, under oath or otherwise, as they may deem best for the public interest, and to report the results to the Senate at the opening of the next session, with their recommendations.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President announced as such committee Messrs. Booth, Tobey and Bradley.

Mr. Gross moved that the committee on charitable and religious societies be discharged from the further consideration of the Assembly bill entitled "An act to secure free exercise and enjoyment of religious profession and worship, without discrimination or preference to all mankind confined in State prisons and other places of confinement," and that the same be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Dayton	Jacobs	Ledwith	McGowan	8
Gross	Johnson	Lord	Moore	

FOR THE NEGATIVE.

Cole	King	Robertson	Wellman
Connelly	Middleton	Selkreg	Wood
Dickinson	Ray	Thompson	Woodin
Dow			

Mr. Jacobs moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act to amend chapter 253 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,'" was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider the vote by which said bill was lost, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Dayton	Johnson	Madden	Ray
Dickinson	Ledwith	Middleton	Wellman
Jacobs			

9

FOR THE NEGATIVE.

Connelly	Lord	Selkreg	Wood
Dow	McGowan	Thompson	Woodin
King	Robertson	Tobey	

11

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The conference committee, to whom was referred the matters in difference between the two Houses upon the Assembly bill No. 235, entitled "An act to amend the charter of the city of Brooklyn," submit the following report, and have agreed to recommend the following :

That the Assembly concur in the Senate amendments to the first section, and that the following be substituted for the second section of said bill :

" § 2. Section 12 of title 3 is hereby amended so as to read as follows :

" § 12. The mayor shall, except as herein otherwise provided, nominate and, with the consent of the board of aldermen, appoint the heads of the several departments and the assessors as hereinafter mentioned. The mayor shall also have the power to suspend any officer appointed by him, and it shall be his duty to report the fact of such suspension, together with the reasons therefor, to the board of aldermen at the next meeting thereof. The board of aldermen may thereupon and for cause remove such suspended officer by a vote of two-thirds of all aldermen elected, provided that no such removal shall take place until the said party sought to be removed has had an opportunity to be heard in his defense. Whenever any such removal shall take place, the cause therefor, together with the ayes and noes upon the vote taken, shall be entered at large upon the journal of the board of aldermen. If the final vote shall be against such removal, such suspension shall cease and determine. All officers, heads of departments, and commissioners now authorized by law to be appointed by the mayor and with the consent of the board of aldermen, except the members of the board of education, shall be appointed in the following manner: If within thirty days after the expiration of the term or terms of office of any such officers, heads of departments or commissioners, or after the date at which any such officers, heads of departments or commissioners are to be by law appointed, or after the occurrence of a vacancy by reason of death, resignation or otherwise in any of the positions aforesaid, the said mayor

and board of aldermen shall fail to agree upon the appointment or appointments to be made, then and in that case, at the expiration of the said thirty days, the mayor, comptroller, and auditor of said city, or a majority of them, shall meet and proceed to nominate and, with the consent of the board of aldermen, appoint such officers, heads of departments or commissioners in the manner now provided for their appointment by said mayor. If within thirty days from and after the expiration of the time at which said mayor's power to make such appointment shall have ceased the said mayor, comptroller and auditor, or a majority of them, and the board of aldermen shall fail to agree upon such appointment or appointments, then and in that case the mayor, comptroller and auditor, or a majority of them, shall make other and different nominations and shall continue at the expiration of each thirty days to make other and different nominations to the board of aldermen until an agreement is effected, and such persons so appointed shall otherwise hold office and qualify as now provided by law.

"§ 3. Title 3 of said act is hereby amended by adding thereto the following additional section:

"§ . Persons now holding or who may hereafter hold office or commission in the National Guard, shall not by reason of holding such office or commission be prohibited from holding any other office by any of the provisions of this title.

"§ 4. Section 1 of title 5 of said act is hereby amended so as to read as follows:

"§ 1. There shall be an auditor who shall be elected at the general election to be held in the year 1874, and every two years thereafter, whose term of office shall commence on the first day of January next succeeding his election, and he shall be the head of the auditing department, and shall receive an annual salary of seven thousand dollars. It shall be his duty to examine all bills presented against the city for payment. No claim against the city, including claims for local improvements, shall be paid unless he shall certify that the services have been rendered or material furnished for which such bills may be presented, and that the charges are just and reasonable, or according to contract.

"§ 5. Section 1 of title 10 of said act is hereby amended so as to read as follows:

"§ 1. There shall be a department of assessment, to consist of a president and ten assessors, who shall constitute the board of assessors of the city of Brooklyn. They shall have power to appoint such clerks and subordinates as may be necessary, provided that the salaries of such clerks and subordinates shall not exceed, in the aggregate, the amount annually raised by the proper officers for such purpose. Within ten days after the passage of this act there shall be appointed, in the manner herein provided by law, a proper person to be an assessor, who, together with the assessors now in office, shall constitute the board of assessors of the city of Brooklyn.

"§ 6. Title 14 of said act is hereby amended by adding thereto the following sections:

"§ 8. Whenever all or either of the streets hereinafter mentioned, that is to say: Flatbush avenue, from Atlantic avenue to Prospect park, Schermerhorn street and Union street, shall, in the opinion of the board of city works, need to be repaved or repaired, in whole or in part, the said board shall cause plans and specifications for doing said work to be

prepared, and submit the same, together with an estimate of the cost thereof, to the common council of the city of Brooklyn, and the said common council is hereby authorized, upon the approval by them of the said plans and estimates, to order said work to be done by said board in the same manner as other repairs, at a cost not to exceed the estimate made therefor.

"§ 9. To meet the cost of any repaving or repairing, of the streets aforesaid, or any portion thereof, the comptroller of the city of Brooklyn shall, from time to time, as required, issue and sell as provided by law, certificates of indebtedness (signed by the financial officers of the city) bearing interest at the rate of seven per cent per annum, and the amount of said certificates and interest thereon shall be placed in the next annual tax levy thereafter, for the purpose of redeeming said certificates on the maturity thereof.

"§ 10. The board of said city works shall have exclusive control over all repairs of streets, and for that purpose are hereby authorized and directed to have the work of said repairs done with or without advertisement therefor, in such manner as they may deem for the best interests of the city; provided, however, that the cost of such repairs shall not exceed the amount appropriated therefor by the proper authorities; and all provisions of law conflicting with this section are hereby repealed.

"§ 11. It shall be lawful for the board of city works annually, or at shorter periods, to advertise for proposals for the furnishing to the city of Brooklyn of all lamp posts, lanterns, connection pipes and other appliances for lighting streets and avenues in the city of Brooklyn, which, from time to time, shall be required for the purpose of any local improvement, during a period to be specified in the said advertisement, and which shall not extend beyond the first day of January next after the commencement of such advertisement, and thereupon to award contracts to the lowest bidder. The said lamp-posts, lanterns and connection pipes not to be combined in one advertisement or contract, but to be advertised and contracted for separately, each subject by itself. Every such contract shall provide for the delivery of the lamp-posts or other articles enumerated or so contracted for, in such quantities or at such times as the same shall be called for by the board of city works during the said period, for the purpose of any local improvements in their charge, and the same, as called for, shall be paid for out of the proceeds of bonds applicable to such local improvements, and the cost thereof shall be included in the assessment for the local improvement in which the same shall be used.

"§ 7. Title 15 of said act is amended by adding the following additional section:

"§ 6. The proper officers of the city of Brooklyn are hereby directed to issue certificates of indebtedness, not to exceed the sum of twenty-five thousand dollars, for the improvement of so much of the east-side lands as have been or shall be reserved for city purposes along the line of Flatbush avenue, and the park commissioners are hereby directed to make said improvement in such manner as, in their judgment, the interests of said property may require, and the proper authorities are hereby directed to pay the same on requisition of said board of park commissioners, said certificates to be paid and canceled out of the proceeds of the sale of the east-side lands.

"§ 8. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

"§ 9. This act shall take effect twenty days after the passage thereof."

JOHN C. JACOBS,
F. W. TOBEY,
Senate Committee.

JOHN MCGROARTY,
JOHN R. KENNADAY,
J. M. OAKLEY,
DANIEL BRADLEY,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Robertson
Dayton	Kellogg	Middleton	Tobey
Fox	Ledwith	Moore	Wood
Gross	Lord	Ray	Woodin
Jacobs			

17

FOR THE NEGATIVE.

Cole	Dow	McGowan	Thompson
Connelly	King	Selkreg	Wellman
Djackson	Lowery		

10

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference thereon.

Mr. Woodin moved to suspend the order of business for five minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Woodin offered the following:

Resolved, That the thanks of the Senate are cordially given to Lieutenant-Governor Dorsheimer, the President of the Senate, for his courteous, intelligent, and faithful discharge of the duties of presiding officer, and that the Senate will remember, beyond the hour of the severance of their Senatorial relations with him, the kindness and culture of the distinguished official and the valued friend.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, unanimously.

Mr. Tobey asked to be excused from serving upon the conference committee appointed relative to Senate bills Nos. 215, 216 and 219.

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

The President announced the appointment of Mr. Wagner in place of M. Tobey.

The committee of conference, to which was referred the matters of difference between the two Houses upon the Assembly bill entitled "An act making certain appropriations for expenses of government, and for supplying deficiencies," beg leave to report that they have met and duly considered the same, and have agreed to recommend that the Assembly concur in the amendments as proposed by the Senate in relation to the sale of the real estate owned by the State in the town of Middletown, Richmond county, now occupied by the Seamen's Fund and Retreat, so amended as to read as follows:

"The Commissioners of the Land Office, upon the approval in writing of the Governor, shall cause to be laid out into lots of suitable size, and shall sell in accordance with the provisions of statute regulating the sale of State lands by them, the real estate owned by the State in the town of Middletown, Richmond county, now occupied by the board of trustees of the Seamen's Fund and Retreat, excepting that portion thereof now occupied by the Mariners' Family Association, and shall pay over to the Comptroller of the State the funds derived therefrom, who shall henceforth be the trustee of said funds; and after paying therefrom the mortgage now upon said property, shall invest the residue thereof and hold the same as a sacred trust fund, and one-tenth of the income therefrom he shall pay over annually to the institution known as the Mariner's Family Industrial Society of the port of New York, or the Mariner's Family Association for the support of the inmates of the asylum connected therewith, so long as the said society continues to fulfill the laws under which it was created.

"The residue of said income of said trust fund shall be by the Comptroller annually paid and applied to the support, care, and maintenance of seamen now in the hospital connected with said Seamen's Retreat, and of all who may hereafter be entitled to be cared for under the laws establishing and regulating said institution. The trustees of the Seamen's Fund and Retreat are hereby superseded by the Commissioner of Quarantine and the Health Officer of the port of New York, who shall, subject to the provisions of this act, possess all the powers, and be subject to all the duties of said trustees, and shall render to the Comptroller vouchers for all expenditures which shall be subject to the audit and approval of said Comptroller. The Health Officer shall, with the approval of the Governor, designate the hospital or place to which the present inmates of the Seamen's Retreat Hospital shall be removed, and where all those who may be hereafter entitled to be cared for under the provisions of this act shall be received and cause the present inmates of said Seamen's Retreat Hospital, and also all the personal property, goods, and chattels connected therewith, to be removed thereto, as soon as practicable, after the passage of this act."

That the Assembly concur in the amendments in relation to the new capitol proposed by the Senate, amended so as to read as follows:

"The sum of one million dollars is hereby appropriated to continue the work on the new capitol building, which shall be paid by the Treasurer, upon the warrant of the Comptroller, to such persons or commissioners as are authorized by law to receive and expend the same, and to be paid as the same shall be, from time to time, required for materials and labor used and employed, or that may be used and employed, in the building of said new capitol.

"The Superintendent of the New Capitol is hereby authorized and directed to audit or settle any outstanding obligations for rent, labor or materials done or furnished by order of the Board of New Capitol Commissioners, heretofore existing, subject to the concurrent approval, in writing, of the Commissioners of the New Capitol hereinafter named, and in such audit and settlement any claims, over-payments or equitable offsets, the State may have to any such obligations shall be deducted therefrom, and the amount allowed and approved by the Commissioners as aforesaid shall be paid by the Comptroller out of this appropriation, with such interest as shall be allowed and approved by said Commissioners aforesaid.

"The Board of New Capital Commissioners, as heretofore constituted, is hereby abolished, and the powers and duties of said board are hereby devolved upon the Lieutenant-Governor, the Auditor of the Canal Department and Attorney-General of the State, who shall hereafter constitute the New Capital Commission.

"Before any portion exceeding fifty thousand dollars of the sum by this act appropriated for the construction of said new capitol shall be expended, full detail plans and specifications of the story of said building containing the legislative halls thereof shall be made and approved, in writing, by the said Lieutenant-Governor, Auditor of the Canal Department and Attorney-General, and not more than one-half of the said appropriation shall be expended before full detailed plans and specifications of the whole of the remainder of said building shall be made and approved, in writing, by the said Lieutenant-Governor, Auditor of the Canal Department and Attorney-General; and, when so approved, shall not be altered or departed from, except by the concurrent written consent and approval of said Lieutenant-Governor, the Auditor of the Canal Department and Attorney-General, which said consent and approval shall be indorsed upon a plan accompanied by specifications, which shall fully and distinctly state the extent of such alteration, and the manner and extent the expense of said building will be affected by such alteration.

"The furnishing of all the materials shall be by contract, or contracts; and the doing of all the work shall be by contract, or contracts, except such portions thereof as, in the concurrent opinion of said commissioners, the interests of the State require to be done by day's work.

"All contracts shall be awarded to the lowest bona fide responsible bidder or bidders, after being advertised by the Superintendent in the State paper once in each week for four weeks consecutively, immediately preceding the letting of said contract, the notice of letting to be signed by the Superintendent, shall state the work to be let, the quality, quantity and kind of materials to be bid for, and the length of time which will be given for the completion of the work, or the delivery of materials, the amount of security required, the bonds to be furnished for the faithful performance of the contract. The proposals received shall be exhibited to the said Lieutenant-Governor, the Auditor of the Canal Department and Attorney-General, together with the proposed contract, which, on their concurrent written approval indorsed thereon, shall be entered into on the part of the State by said Superintendent.

The said contracts shall each reserve the right to the said Superintendent, with the concurrence of the said Commissioners, to declare the same forfeited, whenever, in the judgment of said Superintendent and Commissioners, said contract is not being performed for the interest of the State. Whenever there is a deficiency in the treasury of moneys applicable to the payment of the appropriation for the new capitol, the Comptroller is hereby authorized and required to borrow from to time such sums as the said commissioners may require, and the money borrowed shall be refunded from the moneys received from taxes levied to meet this appropriation."

That the Assembly concur in the amendment of the Senate striking out a portion of the item in relation to the Elmira Reformatory, and inserting in place thereof the following: "The Governor may, in his discretion, remove the superintending builder of the Elmira Reformatory

on the recommendation of the commissioners appointed under chapter 600 of the Laws of 1873, but nothing herein contained shall be construed to abridge the power of the Governor to remove said superintending builder, as now authorized by law."

Respectfully submitted,

D. P. WOOD,
F. W. TOBEY,
JOHN FOX,
Senate Committee.

S. H. HAMMOND,
F. W. VOSBURGH,
L. C. WAEHNER,
JACOB HESS,
T. G. ALVORD,
Assembly Committee.

A message from the Assembly was received and read, as follows :

IN ASSEMBLY, *May 22, 1875.*

Report of committee of conference agreed to, except the following :

"The Commissioners of the Land Office, upon the approval, in writing, of the Governor, shall cause to be laid out into lots of suitable size, and shall sell in accordance with the provisions of statute regulating the sale of State lands by them, the real estate owned by the State in the town of Middletown, Richmond county, now occupied by the board of trustees of the Seamen's Fund and Retreat, excepting that portion thereof now occupied by the Mariner's Family Association, and shall pay over to the Comptroller of the State the funds derived therefrom, who shall henceforth be the trustee of said funds; and after paying therefrom the mortgage now upon said property, shall invest the residue thereof and hold the same as a sacred trust fund, and one-tenth of the income therefrom he shall pay over annually to the institution known as the Mariner's Family Industrial Society of the port of New York, or the Mariner's Family Association, for the support of the inmates of the asylum connected therewith, so long as the said society continues to fulfill the laws under which it was created. The residue of said income of said trust fund shall be by the Comptroller annually paid and applied to the support, care and maintenance of seamen now in the hospital connected with said Seamen's Retreat, and of all who may hereafter be entitled to be cared for under the laws establishing and regulating said institution. The trustees of the Seamen's Fund and Retreat are hereby superseded by the Commissioners of Quarantine and the Health Officer of the port of New York, who shall, subject to the provisions of this act, possess all the powers and be subject to all the duties of said trustees, and shall render to the Comptroller vouchers for all expenditures which shall be subject to the audit and approval of said Comptroller. The health officer shall, with the approval of the Governor, designate the hospital or place to which the present inmates of the Seamen's Retreat hospital shall be removed, and where all those who may be hereafter entitled to be cared for under the provisions of this act shall be received, and shall cause the present inmates of said Seamen's Retreat Hospital, and also all the personal property, goods and chattels connected therewith to be removed thereto as soon as practicable after the passage of this act."

Mr. Wood moved to agree with so much of the report as has been agreed to by the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Madden	Selkreg
Cole	Johnson	McGowan	Thompson
Connelly	Kellogg	Middleton	Tobey
Dayton	King	Moore	Wagner
Dickinson	Laning	Parmenter	Wellman
Dow	Ledwith	Ray	Wood
Fox	Lord	Robertson	Woodin
Gross	Lowery		

30

Mr. Wood moved that the Senate recede from the amendments upon which the Assembly have refused to concur.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Selkreg
Cole	Johnson	Madden	Thompson
Connelly	Kellogg	Middleton	Tobey
Dickinson	King	Parmenter	Wagner
Dow	Ledwith	Ray	Wood
Gross	Lord	Robertson	Woodin

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Jacobs offered the following :

Resolved, That the members of the Senate desire to express their sense of the great intelligence, the uniform courtesy, the patient assiduity, and the thorough conscientiousness which have characterized the conduct of the Hon. William H. Robertson, as President of the Senate *pro tem.* during the last two years.

The President put the question whether the Senate would agree to said resolution, and it was adopted unanimously.

Mr. Laning offered the following :

Resolved, That the thanks of the Senate be and are hereby tendered to Henry A. Glidden, Clerk of the Senate, for the fidelity and promptitude with which he has discharged the important duties of his office, and that we hereby express to him our approbation for his uniform courtesy and attention to the wishes of this body.

The President put the question whether the Senate would agree to said resolution, and it was adopted unanimously.

Mr. Fox offered the following :

Resolved (if the Assembly concur), That the hour of final adjournment be extended for one-half hour.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly and request their concurrence therein.

The Assembly returned the concurrent resolution authorizing the Governor to appoint a commission of not more than twelve persons to consider the subject and devise a plan for the government of cities, and to report to the next Legislature, with a message that they had concurred in the same.

The committee of conference appointed by the Senate and Assembly,

to which was referred the matters in difference between the two Houses relative to the Assembly bill entitled "An act to amend chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,'" having met and duly considered the same, have agreed to recommend as follows:

That the Assembly concur in the amendments made by the Senate to section 1.

That the Senate recede from its amendments to section 2, and recommend as follows:

"§ 2. Section 93 of said chapter is hereby amended so as to read as follows:

"§ 93. Within two years.

"1. In an action for libel, slander, assault and battery or false imprisonment.

"2. An action a statute for a forfeiture or penalty to the people of this State.

"3. Every action instituted to recover damages for a personal injury or for any loss occasioned thereby."

That the Assembly concur in the amendment made by the Senate in striking out section 3.

That the Assembly concur in the amendments made by the Senate to section 4.

That the Assembly concur in the amendments made by the Senate in striking out sections 7 and 8 and 9.

That the Senate recede from its amendments to section 10.

That the Assembly concur with the Senate in striking out section 11.

That the Assembly concur in the Senate amendments to section 12.

That the Assembly concur in the Senate amendments to section 13.

That the Assembly concur in the Senate amendment in striking out section 15.

That the Assembly concur with the Senate in inserting what will be section 11 when the numbers are changed.

Further recommend that the section numbers be changed to correspond with the rest of the bill.

CHARLES KELLOGG,
A. P. LANING,
F. W. TOBEY,
Senate Committee.

JAMES L. BENEDICT,
HANFORD STRUBLE,
T. COOPER CAMPBELL,
J. C. WAEHNER,
JAMES W. HUSTED,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Connelly	Johnson	McGowan	Tobey
Dayton	Kellogg	Middleton	Wagner
Dickinson	King	Parmenter	Wellman
Fox	Laning	Ray	Woodin
Gross	Lowery	Thompson	

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FOR THE NEGATIVE.

Madden

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference thereon.

The Assembly returned the following entitled bills :

"An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York, or Raritan bay, within the jurisdiction of the State of New York."

"An act to regulate investments by insurance companies."

Ordered, That the Clerk deliver said bill to the Governor.

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the Senate bill entitled "An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871, and also to amend an act to re-enact and amend the same, passed April 6, 1871, and to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at a higher elevation," having met and duly considered the same, have agreed to recommend as follows :

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. The powers conferred upon the commissioner of public works of the city of New York by an act entitled "An act to provide a further supply of pure and wholesome water for the city of New York," passed February 27, 1871, and an act to re-enact and amend the same, passed April 6, 1871, shall hereafter be possessed and exercised only with the concurrence of the common council, approved by the mayor of said city; but when such concurrence shall be given, the said commissioner of public works shall perform and execute all the duties and functions imposed upon him by the provisions of said acts.

§ 2. The commissioners of public works of the city of New York, when thereunto authorized by a three-fourths vote of all the members elected to the common council of said city, and to be approved by the mayor of said city, is hereby authorized to expend for materials and labor and other services, in such manner as the said commissioner shall deem for the best interests of said city, in laying pipes to extend and enlarge the distribution of Croton water through the city of New York, including the two new wards, and to furnish a sufficient supply thereof to the institutions in charge of the Department of Public Charities and Corrections located on Blackwell's Island, Ward's Island and Randall's Island, and in laying mains necessary to deliver said water at higher levels and in greater quantities, an additional sum not exceeding one million five hundred thousand dollars.

§ 3. It shall be the duty of the comptroller of the city of New York, and he is hereby authorized and directed, to borrow upon bonds or stocks of the mayor, aldermen and commonalty of the city of New York such amounts as the commissioner of public works shall, from time to time, deem necessary to execute the works aforesaid, not, however, exceeding in the whole, the additional sum mentioned in the second section of this act; but no more than the sum of two hundred thousand dollars shall be expended in any one year; and the mayor and comptroller of said city are hereby authorized and directed to sign such bonds. Such bonds shall be entitled "Croton water main stock of the

city of New York," and shall bear interest at a rate not exceeding seven per cent per annum, and shall be redeemable in not less than ten nor more than fifty years from the date of their issue, as the said comptroller shall determine to be for the best interest of said city. Such bonds shall not be disposed of for less than the par value thereof, and it shall be the duty of the clerk of the common council of said city to countersign the same and affix the seal of said city thereto. And the board of supervisors of the county of New York is hereby authorized and directed to cause to be raised, from time to time, by tax upon the estates, real and personal, subject to taxation in the city and county of New York, the sum of money which may be required to pay the interest on said bonds and to redeem them at maturity.

§ 4. The moneys to be raised by virtue of this act shall be applied and executed for the purposes authorized by this act, and for no other purpose whatever.

§ 5. The faith of the city and county of New York and the revenues thereof are hereby pledged for the payment of the interest of said bonds or stocks, and the redemption of the principal of said debt hereby created, and the bonds to be issued under this act.

W. WAGNER,
R. A. PARMENTER,
Senate Committee,

JAMES DALY,
T. J. CAMPBELL,
JACOB HESS,
JACOB WORTH,
JOHN T. MCGOWAN,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Lowery	Ray	
Connelly	Johnson	McGowan	Robertson	
Dayton	Kellogg	Middleton	Selkreg	
Fox	Laning	Moore	Wagner	
Gross	Ledwith	Parmenter	Wellman	20

FOR THE NEGATIVE.

Dow	King	Thompson	Woodin	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference thereon.

Mr. Jacobs moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act to appoint commissioners to authorize the erection of a city hall in and for Long Island City, and to provide for the expenses of the same," was lost.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Gross	Kellogg	Parmenter
Connelly	Jacobs	Ledwith	Ray
Dayton	Johnson	Moore	Wagner
Fox			

FOR THE NEGATIVE.

Cole	King	Robertson	Wood
Dickinson	Lowery	Selkreg	Woodin
Dow	McGowan	Wellman	11

The President then put the question whether the Senate would agree to reconsider the vote by which said bill was lost, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Jacobs	Laning	Parmenter
Connelly	Johnson	Ledwith	Ray
Dayton	Kellogg	Moore	Wagner
Gross			13

FOR THE NEGATIVE.

Cole	King	Robertson	Wood
Dickinson	Lowery	Selkreg	Woodin
Dow	McGowan	Wellman	11

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

On motion of Mr. Gross, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons as experts," and the same ordered to a third reading.

Said bill having been announced for a third reading,

On motion of Mr. Gross, and by unanimous consent, said bill was amended by striking out the amendments made in the Senate, and restoring the bill as when passed by the Assembly.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Johnson	Madden	Ray
Dayton	Laning	McGowan	Selkreg
Fox	Ledwith	Moore	Thompson
Gross	Lord	Parmenter	Woodin
Jacobs	Lowery		18

FOR THE NEGATIVE.

Connelly	Dow	Wagner	Wellman
Dickinson	King		8

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Mr. Ledwith offered the following :

Resolved, That the thanks of the Senate be and are hereby extended to Charles R. Dayton, assistant clerk, and the other deputy clerks of the Senate, for the prompt, faithful, and energetic manner in which they have performed the duties of their various positions.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly returned the resolution extending the time of final adjournment for half an hour, with a message that they had concurred therein.

The Assembly returned the following entitled Assembly bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act supplementary to the act entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city,' passed April 26, 1871."

"An act to increase the powers of the common council of the city of Brooklyn."

"An act authorizing the payment of William A. Dunn, for services as doorkeeper of the Assembly, and of Robert McIntyre, for services as post-office messenger of the Senate."

"An act to confirm and legalize certain acts of the common council of the city of Elmira."

"An act to alter the commissioners' map of the city of Brooklyn, and for other purposes."

"An act for the improvement of Myrtle avenue, in the city of Brooklyn."

"An act in relation to the jurisdiction of the marine court of the city of New York, and to the justices of said court."

"An act to amend chapter 122 of the Laws of 1851, entitled 'An act for the incorporation of building, mutual, loan and accumulating fund associations.'"

"An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

"An act to amend section 67 of article 2, chapter 1, part 2, title 2 of the Revised Statutes in relation to trusts."

"An act to define the powers and privileges of railroad corporations, and to repeal sections 3 and 4 of chapter 278 of the Laws of 1868, entitled 'An act in relation to the Erie, New York Central, Hudson River and Harlem Railroad Companies.'"

"An act in relation to courts of record of the city and county of New York."

"An act for the improvement of portions of Commercial street, Union place and Prospect place, in the city of Brooklyn."

"An act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for laying an assessment for sewers in said district."

"An act to confirm the proceedings of supervisors and justices of the peace of the several towns in the county of Kings, relating to town sealers."

"An act relating to the powers and duties of commissioners of charities in the county of Kings."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had agreed to the report of the committee of conference thereon:

"An act in relation to railroad commissioners in the several counties of the State."

"An act to amend the charter of the city of Brooklyn."

"An act to amend chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the practice, pleadings, and proceedings of the courts of this State.'"

"An act to provide for the organization and regulation of certain business corporations."

"An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

"An act further to provide for the construction and operation of a steam railway or railways in counties of the State."

Ordered, That the Clerk return said bills to the Assembly.

Mr. Tobey offered the following :

Resolved, That the committee appointed this day to investigate the several departments in the city of New York be authorized to employ a stenographer.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Jacobs moved that the Senate take a recess for fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The fifteen minutes having expired, the Senate resumed legislative business.

Mr. Tobey offered the following :

Resolved, That a committee of two be appointed to wait upon his Excellency the Governor, and inform him that the Senate have completed their business and are ready to adjourn.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President announced as such committee Messrs. Tobey and Lord.

Mr. Kellogg offered the following :

Resolved, That a committee of two be appointed to wait upon the Assembly and inform that body that the Senate has concluded its business and is ready to adjourn.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President announced as such committee Messrs. Kellogg and Moore.

Messrs. Husted and Shattuck, a committee on the part of the Assembly, appeared in the Senate Chamber, and announced that the Assembly had concluded its business and were ready to adjourn.

Mr. Ray offered the following :

Resolved, That the thanks of the Senate are hereby tendered to D. K. Schram, the sergeant-at-arms of this body, for the diligent and courteous manner that he has discharged his arduous duties.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly sent for concurrence the bill entitled as follows :

"An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Robertson, and by unanimous consent, the rule was suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Fox	Madden	Selkreg
Cole	Gross	Moore	Tobey
Connelly	Jacobs	Parmenter	Wagner
Dayton	Ledwith	Ray	Wood
Dickinson	Lord	Robertson	Woodin .
Dow			

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same.

Messrs. Kellogg and Moore, the committee appointed to wait upon the Assembly, reported that they had performed that duty.

Messrs. Tobey and Lord, the committee appointed to wait upon the Governor, reported that they had performed that duty, and that His Excellency had requested them to state that he had no further business to communicate to the Senate.

The hour of half-past twelve o'clock having arrived, the Lieutenant-Governor arose and spoke as follows :

SENATORS : The hour of adjournment has arrived, but I will venture to detain you a moment while I return my thanks for the indulgence and courtesies I have received from you, and for the expression of your good feeling which has been conveyed to me by the resolution of the Senate.

At a time like this generous men forget the light differences which have arisen, and remember only those things which it is pleasant to recall. Albeit, not so constituted as to be able to be indifferent to your discussions, nor to the fate of the measures before you, I have striven to hold the scales fairly, and where I have failed it should be imputed to human frailty and not to any deliberate intention.

I have been a witness of the zeal, the integrity, the independent and patriotic spirit with which you have performed your duties. If your action shall encounter criticism among the people, it must be upon public grounds and as to the wisdom of your course. You certainly cannot be accused of carelessness nor neglect of duty, nor of having failed to give to all important subjects a careful and deliberate consideration.

Senators, I bid you farewell, with the sincere wish that you may have a full reward of happiness, prosperity, and public honor ; and now, in accordance with the joint resolution of the Senate and Assembly, I declare the Senate to be adjourned without day.

HENRY A. GLIDDEN,
Clerk of the Senate.

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